

ance on the Third Tuesday in March, 1755, at Frederick County Court, in the Sum Twenty Pounds, to answer the Complaint that I shall make against him. Fail not at your Peril. Given under my Hand and Seal this 4th Day of January, 1755.

L. H. J.
Liber No. 48
May 6

John Rawlings. L. ● S.

To Samuel Beall, Esq;^r Sheriff.

You are to receive the said John West, junior, by the Hands of Luke Bernard, Constable.

Frederick County, ss.^t

Take into your Custody the Body of John West, junior, and him have before me for destroying my Warrant against sundry Persons that I sent for to serve his Majesty. Fail not at your Peril. Given under my Hand and Seal this 3d Day of January, 1755.

John Rawlings L. ● S.

To Luke Bernard, Constable.

Mr. Bernard,

You must go and serve it To-morrow Morning.

We humbly presume your Excellency, upon re-considering this Matter, cannot but be of Opinion, that Mr. Rawlings's issuing a Warrant for £2.10. when he verily believed, as he says in his Letter, that Debt to be just, and more if the Plaintiff could bring it under a Warrant, is contrary to Right, as the foregoing Report mentions; for if it were in the Power of Justices of the Peace to Divide Debts, properly recoverable before the County Courts, so as to bring them under their Cognizance singly out of Court, the Use of Juries in Cases of Meum and Tuum, would be mostly at an End, and consequently the People deprived of one of the most valuable of their Rights: And that such Acting is against Law, we presume every Gentleman of that Learned Profession will readily advise your Excellency.

That all Commitments, without the Cause expressed, are against both Law and Right; and have been practised and endeavoured to be established in our Mother-Country only in Times when Arbitrary Power made it's strongest Efforts for the Destruction of our most happy Constitution, is so well settled a Point, that we cannot suppose your Excellency will desire us to mis-spend Time in giving Instances of it. p. 437

We are much concerned that the Narrative of an Officer, represented to your Excellency by this House as Guilty of Misbehaviour, should have more Weight with you, than our Determination on a full Examination of his Conduct, by Means of several Witnesses, as far as we could learn, disinterested, and to whose Veracity, or the Matters deposed by them, that Officer did not before us make the least