

found Sufficient surety aswell his Clamor to prosecute as for One Chesnutt coloured Stone horse being the proper horse of him the said Richard which Henry Hawkins tooke and unjustly deteines as it is said to be returned if returne of the said Stone horse be adjudged That the said Stone horse to the said Richard ffountaine replevyed to be and delivered he cause & put by security and safe pledges the said Henry Hawkins that he be here the thirteenth day of October in 43th yeare of his Loꝝps Dominion &c to answer the aforesaid Richard ffountaine of a plea of takeing and unjustly deteineing of his Stone horse aforesaid & how the said writt shall be executed to the justices of this Court he make Knowne under the paine incumbent & also y^t then & there he make returne of the same writt.

Att which said thirteenth day of October in the yeare aforesaid the said Sheriff maketh returne upon the backside of the same writt The within menꝝoned Stone horse I could not find so could not make replevin of him But I haue taken the body of the within mentioned Henry Hawkins whom I have ready the day and place within contined.

Benj^a Rozer Sheriff.

At which said thirteenth day of October in the yeare aforesaid came the said Henry Hawkins by Benjamin Rozer his Attorney and prayeth liberty of Speakeing hereunto untill the next Provinciaall Court and the same day is given to both parties. which said next Provinciaall Court was by his Loꝝps writt of Adjournm^t adjourned untill the ninth day of December then next comeing At which said ninth day of December came the said Richard ffountaine by his Attorney and the said Henry Hawkins by his Attorney likewise came & by & with the consent of the said Attornyes this cause was continued untill the next Provinciaall Court.

At which said next Provinciaall Court to wit the ninth day of february in the 43th yeare of his Loꝝps Dominion &c came the said Richard ffountaine by Robert Ridgely by his Attorney complaineth that the aforesaid Henry the tenth day of January in the two & fortith yeare of the Dominion of Caecilius &c Annoꝝ Doꝛn One thousand six hundred seventy three at Charles County aforesaid One Chestnutt coloured stone horse of the price of foure thousand pounds of tobacco of the goods and Chattells of him the said Richard the said Henry tooke and unjustly deteined and as yet doth deteine against Suertyes & pledges whereupon the said Richard Saith he is dampnified and is the worse to the Value of Six thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Henry Hawkins by Benjamin Rozer his Attorney cometh and defendeth the wrong and injury when &c and saith that he did not take nor doth injustly deteine One Chestnutt Stone horse of the goods and Chattells of the Said Richard ffountaine against Suertyes & pledges as in his declaration is alleadged & this he prayes may be enquired into by the Country.