

Attorney Complai[n]eth, That the aforesaid Michael Higgens the Tenth day of May in the yeare of our Lord 1679 With force and Armes, the Close and Tobacco house of him the said Roger at st Leonards Creeke in the County aforesaid did breake and enter, and the grasse of him the said Roger in the said Close growing to the Vallue of five pounds wth his feet in walking Trod downe and Consumed, and foure hogsheads of picked and Culled Tobacco Containing Neate Nineteene hundred pounds in the said Tobacco house found of the Vallue of Twenty foure pounds Sterling, being the prop goods & Chattells of the said Roger Baker took & Carried away, and other Enormities to him did do to the greate Damage of the said Roger Baker, and against the peace whereupon hee sayth hee is Damnified and hath Lost to the Vallue of forty pounds sterling and thereupon hee bringeth his suite

Liber W. C.

And the said Michael Higgens by Christopher Rousby his Attorney Cometh & Defendeth the force and Injury when &c and Prayeth Liberty to Imparle hereunto untill next Provinciaall Court an Itt is granted unto him the same Day is given to the plt alsoe

Att w^{ch} next Provinciaall Court to witt the Seaventeenth day of ffebruary in the fifth yeare of the Dominion of the R^{tt} hono^{ble} Charles Lord Baltmore &c Annoq; Domini 1679 Came the said partyes by there Attornyes aforesaid and the said Michael Higgens by his said Attorney sayth, That hee the s^d Michael is in noe wise guilty of the Trespasse above said, in manner and forme as the same by the said plt in his said Declaration is Suggested and of this hee puts himself upon the Country, & the s^d plt Likewise

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Therefore Itt is Comanded the Sheriff of st Maryes County that hee Cause to Come here Twelve &c by whome &c who neither &c to Recognize &c because aswell &c

On w^{ch} said Seaventeenth day of ffebruary in the yeare aforesaid Came the said partyes by there Attornyes aforesaid, & the Juro^{rs} Impannelled being Called Likewise Came to witt, Thomas Cosden, Joseph Tilley, William Thomas, Marmaduke Semme, Sam^{ll} Holdsworth, John King, Richard Marsham, Thomas Sedwicks, George Holland, Robert Mason, ffrancis Corbett, & James Lewis, Who being Elected Tryed & sworne to say the truth in the p^rmisses upon their oathes doe say That If this Court shall Judge the Receipt to bee a good Receipt then they finde for the p^{lt} but if this Court shall Judge the Receipt to bee noe good Receipt then they finde for the Defend^t, And because the Justices here will advise themselves of and upon the Verdict aforesaid before they give Judgment thereupon A day thereof is given to the partyes aforesaid untill the morrow following On w^{ch} day to witt the Eighteenth day of ffebruary in the yeare aforesaid Cometh aswell the said plt as the said Def^t by there Attorneys aforesaid And hereupon the Receipt aforesaid of the said Def^t being Seene Itt seemeth to the same Justices here that the same Receipt is a good Receipt And the said Michael