

wise guilty of the p<sup>r</sup>misses above imposed upon him by the plt in manner and forme as the Said plt above against him hath Com-  
 plained, and of this hee puts himself Upon the Country and the said Benjamin also, Therefore Itt is Comanded the Sheriffe 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<sup>ch</sup> said thirteenth day of May in the Yeare aforesaid Came the said ptyes by their Attorneys aforesaid, and the Juro<sup>rs</sup> Impannelled being Called Like-  
 wise Came (To witt) Sam<sup>l</sup> Raspin Philip Lines, Randall Hanson: John Martindale, Thomas Keeting, Edward Ward, Dan<sup>l</sup> Clocker, Thomas Tillet. Jenkin Morgan Henry ffernley, Thomas ffolkes, James Pattison, Who being elected tryed & Sworne to say the truth in the p<sup>r</sup>misses Upon their oathes doe Say, That the said William Harris is guilty of the p<sup>r</sup>misses above by the plaintiff imposed Upon him in manner and forme as the said plt hath against him Com-  
 plained, and they Asesse the damage of the said plt to ffoure hundred pounds of Tobacco, w<sup>ch</sup> Verdict of the Juro<sup>rs</sup> aforesaid being Read and Heard the said William Harris by his Attorney aforesaid moved the Court here in arrest of Judgm<sup>t</sup>, and prayed day untill next prov<sup>th</sup> Court, and It is granted unto him the same day is Given to the p<sup>t</sup> also :

Att w<sup>ch</sup> said next Provinciaall Court to witt the nine & Twentiyeth day of November in the fffth Yeare of the dominion of the Right honoble Charles Lord Baltemore &c Annoq Domini 1680 Came the said partyes by their Attorneys aforesaid and the said William Harris by his Said Attorney sayth That Judgm<sup>t</sup> ought to bee arrested, ffor that The words Layd in the Declaracon are (You is a Cheating Knave & hath Cheated the Country.) W<sup>ch</sup> words are not actionable for that It is not sayd that in his office of Clerke or At-  
 torney hee was a Cheating Knave or had Cheated the Country, & the Court Shall not intend it w<sup>th</sup>out his shewing thereof, and although Randall bee An Attorney that brought this Accon Yet it not appearing there was any speech of him as an Attorney or to scandalize him in his place, the words are spoken of him as a Comon pson, The Witnesses that prove the words swore that the said Randall came to fetch a Cow and a Calfe for Michael Miller, & that they had Noe Communication in Relacon to his Office. and w<sup>th</sup>out such comunicacon or speech of him as an Attorney the said words are not actionable & therefore noe Judgm<sup>t</sup> Can be given thereon, W<sup>ch</sup> being Read and heard It seemeth to the Justices here that the Reason aforesaid is insufficient in Law to arrest Judgm<sup>t</sup> Upon the Verdict of the Juro<sup>rs</sup> aforesaid, Therefore It is Considered that the said Benjamin Randall Recover against the said William Harris aswell the sume of ffoure hundred pounds of Tobacco damages by the Juro<sup>rs</sup> aforesaid in forme aforesaid assed as also  
 pounds of Tobacco Costs of Suite, and the deft in Mercy &c