

recd: and taken contrary to the tenor Effect and true meaning of the s^d Statutes and Act of Assembly whereby the same goods and Merchandizes are become lyable to Seizure and Forfeited to their Ma^{ty} to the Uses in the information afores^d expressed and mention'd and this he Prayeth may be inquired of by the Countrey etc:

Plater Att^r Gen^{tl}

And the Def^t likewise.

Ph: Clarke

And he further Sayth that for the reasons in the plea above alleadged the s^d information ought not to be quashed for that the Same information, and the matter therein contain'd is Sufficient in Law to compell the s^d Charles to answer unto the same and this he is ready to Affirm and prayeth Judgem^t.

And the Def^t likewise

Plater Att^r Gen^{tl}

Ph. Clarke.

[52] It is therefore (as to the First part of the plea wherein issue is Joyned) Comanded the Sherriff of S^t Maries County that he Cause to Come here Twelve etc: by whom etc: Now here at this day to wit the 18th day of February Anno Dom: 1692 came the s^d Nehemiah Blackiston Esq who as well etc: by his Attorney afores^d and the s^d Charles Carroll by his Attorney likewise came and the Jurors of that Jury also Came to wit Edward Batson, W^m Haines, Robert Carss, Roger Toll, Thomas Price Sen^r Edward Morgan, James Simmonds, John Shanks, John Sauner, Henry Taylor, Dan^{tl} Moy, and Thomas Price jun^r who to Say the Truth in the p^rmises being duly Elected tryed and Sworne upon their Oathes do Say, They find for the King and as to the other part of the plea demurring to the information as Vitious and Erronious for want of Sufficiancy in Law to maintain the Same (wherein also issue is Joyned) The Severall reasons and Articles thereof were distinctly read and argued and the Same upon due and mature Consideration had thereof by the Court found to be altogether defective and insufficient to quash the information afores^d and the s^d information and the matter therein contain'd to be good and Sufficient in Law ag^t the Def^t any thing in the demurrer afores^d notwithstanding.

Therefore it is Considered by the Court here that the Severall hhd^s or Casks of beer in the information mencon'd to be imported and illegally unladen and put on Shore and by the s^d Charles Carroll into his Warehouse Recd and taken be Condemned and Forfeited to their Ma^{ty} according to the Form true intent and meaning of the Statute afores^d Viz^t

The Moyetie of the Rate thereof to their s^d Ma^{ty} and the other Moyetie to the s^d Nehemiah Blackiston Esq who as well etc: in this behalf prosecuteth And it is by the Court further Ordered That M^r Edward Batson be and he is hereby appointed Appraiser to View appraise and Value Upon his Oath to be duly Administred unto him the Severall hhd^s or Cask of beer afores^d and to make Return of his Appraisem^t under his hand and Seal into this Court with all Convenient Speed.