

Calvert County Court held att Calvert Towne the 3d Tuesday in March Annoque Domini 1695 [1696] Joseph Harryson Obtained a nonsuite against John Chapman And by the Consideration of the Justices of our Sovereigne Lord the King at the Said Court Recovered against the Said John Chapman the Sume of two hundred Sixty five pounds of tobaccoe by the discretion of the Said Justices Adjudged for his the Said Joseph Harrysons Cost for that the Said John Chapman did not procecute a Certaine Action that he had there brought against the Said Joseph Harryson in a plea of trespass upon the Case etc. whereof he was Convicted as by the Record and process thereof in the Said Court Remaining manifestly Appareth Nevertheless Execution for the Same yet Remaineth to be done as by the Insinuation of the Said Joseph Harryson our Sovereigne Lord the King is given to understand And because etc. that by Law etc. he make knowne by good and Lawfull men of his balywick to the Said John Chapman that he be before the Justices of our Prince Georges County to be held att Charles Towne the fourth Tuesday in September Annoque Domini 1695 to Shew Cause if etc. wherefore the Said Joseph Harryson his Execution against him for the Sume aforesaid ought not to have According to the forme of the Recovery aforesaid if etc.

And the Said Sheriffe the Said fourth Tuesday of September Annoque Domini 1695 made Returne of the Said writt Endorsed on the back: Sumoned before John Gardiner and Josias Towgood per Thomas Greenfield Sheriffe.

And the Said John Chapman by William Stone his Attorney Cometh and defendeth the force and Injury when etc and prayeth Lycence thereof to Imparle here untill next Court and it is granted unto him the Same day is given to the Said Joseph Harryson Lickewise etc.

Att which Said next Court (to witt) the 24th day of November Annoque Domini 1696 Came here the Said Joseph Harryson by Joshua Cecell his Attorney and the Said John Chapman by his Attorney aforesaid Likewise Came and the Said Joseph Harryson prayeth that the Said John Chapman to his writt of Sciri facias aforesaid may Answer etc.

And the Said John Chapman by his Attorney aforesaid Cometh and Defendeth the force and Injury when etc. And Saith that hee is not Informed by his Clyant of any Answer for the Said John Chapman in the plea aforesaid to be given and nothing more thereof Saith by which the Said Joseph Harryson Remaineth against the Said John Chapman thereof undefended etc.

Therefore it is Considered that the Said Joseph Harryson have Execution against the Said John Chapman for the Said Sume of two hundred Sixty five pounds of tobaccoe aforesaid together with two hundred twenty four pounds of tobaccoe his Cost and Charges in this behalfe Sustained etc. by the Court Adjudged etc.

George Burgis made oath to his Account against Matthew Mackeboy and Hugh Ryley Sworne as an Evidence for Burgis.

Steven Ashbey being Sumoned made oath to what was demanded of him about Thomas Duley Stealing of John Smith Saddle and the truth of the matter by the Court here being heard It is thereupon Ordered that the Said Thomas Duley be discharged from his Recognizance and Cleared from the Information made against him by John Smith by proclamation which was Accordingly Done.

[96] Ordered by the Court here that the Clarke of this Court for the future take the oaths of the Evidences that Attends this Court of the time of their Attendance out of Court time etc.