

puts himself upon the Country. — and the aforesaid pleth in like manner. —

whereupon the aforesaid Henry altho. Solemnly called Cometh not nor in his declaration further proceed-
ed against the same George &c.

Therefore it is Considered that the aforesaid Henry Fitzwaters and his pledges of prosecuting
to witt, John Doe and Richard Roe be therof in mercy, and that the aforesaid George Maglamory goe
therof without day &c. and further it is Considered that the aforesaid George Recover against the aforesaid
Henry his damages by Quasion of the premises to One hundred & three

103. pounds of Tobacco to the same George by direction of the Justice here at his request for his costs &
charge in that part Sustained according to the form of the statute &c. by the Court has adjudged &c.

By Robert Burton Esq. } Command was given to the Just. of Somerset County that he should take Richard
W. B. Richard Holland. } Holland late of Somerset County planter otherwise called Richard Hollis of the County
of Somerset in the province of Maryland Yeoman. if he should be found in his backly work
and him should safe keep so that he might have his body before the Justice of his Lordships County Court
of Somerset to be hold at dividing Creek the third wednesday of Novemb. next to answer unto Comfort
Burton Ann Burton, Sarah Brittain and Baticene Wapley Executors of the Last Will and Testament
of Robert Burton late of Sussex County dec. of a plea that he would within the Sum of forty three
pounds four Shillings and three pence halfe penny Curr. Silver money of America which from them
he unjustly detaineth &c. and that therof he should not fail &c.

Att which said third wednesday of Novemb. to witt the sixteenth day of the same month one thousand
seven hundred and thirty one being the day of the Return of the said Writt Cometh the said Executors,
by their attorney aforesaid and the Just. of Somerset County to whom the foregoing writ was directed
likewise Cometh and made the Return therof to the Court has Endorsed in these words following viz.

Legi Propus ff Joshua Caldwell Just.

And the said Richard Holland by William Beedingham his attorney Cometh and defendeth the force
and Injury whereof and prays Lease thereof to Imparee his until the next Court and so hath it and
the same day is given to the aforesaid Executors has also &c.

Att which said next Court to witt the twenty first day of March anno. Dom. one thousand seven hundred
and thirty one came againe ~~unto~~ the aforesaid Richard Holland by his attorney aforesaid and offers
him self against the aforesaid Comfort, Ann, Sarah and Baticene in the plea afo. but the afo. pleth altho
Solemnly called Cometh not nor profeantes their writ aforesaid.

Therefore it is Considered that the afo. Comfort Burton Ann Burton Sarah Brittain and
Baticene Wapley Executors as afo. take nothing by their writ aforesaid, but that they and ^{of their} pledges of pro-
secuting be in mercy &c. and the afo. ^{names} pledges &c. and that the said Richard goe therof without day &c.

By Thomas Nelson } Somerset J. William Wye Junr. of Somerset County Mariner was
703 Wm Wye Junr. } Attached in answer unto Thomas Nelson of a plea of trespass
upon the case &c. — And