

and from aforesaid voluntarily feloniously and Out of their Malice proposed did
Kill and Murder against the peace of the Rt Honorable the Lord Proprietary
that now is his good Rule and Government

William Cumming Esq. prosecutor for
his Lordship

- Thomas Davis
- Nicholas Hart
- Robert Constable
- Ann Kitchin
- Jane Tucker

Evidences

On the back of the aforesaid
Indictment was by the Grand Jury thus drafted

Billa vera

Samuel Smith foreman

Whereupon Command is given to the Sher. of Ann Arundell County to set
the said Thomas Rutland Jun. and James Bray being in his Custody to the Barr
who thereupon appears, and the said Thomas Rutland Jun. and James Bray being
presently Demanded how they would acquit them selves of the premises above
Imposed upon them, say they are in no wise thereof Guilty and thereof for trial put
themselves upon God and the Country. And William Cumming Esq. who for his
Lordship in this behalf procedeth says they are guilty and prays it may
be Enquired into by the Country likewise

Thereupon Command is given to the

Sher. of Ann Arundell County to wit James Goane Gent that he should
cause to come here to doo by whom or who neither or to recognize &c.
because as well as and now here at this day to wit the twenty fourth day of Octob.
anno Domini Seventeen hundred and twenty Eighth Comes the said Sheriff and
in answer return that he has here ready to doo as by the said precept he was
Commanded to wit, William Selman, Thomas Stocket Jun., Gard. Batters
Edward Carter, John Wilmore, James Ladd, Cudde Robinson, Richard Jacob
Simon Duff, Joseph Marriott, Peter Porter and Augustine Marriott
who being duly elected tryed and Sworn to say the truth in the premises
upon their Oath do say that the said Thomas Rutland Jun. and James Bray
are guilty of Manslaughter, but do not find that the said Tho. Rutland Jun.
and James Bray was possessed of any goods or Chattells Lands or Tenements
at the time of the Man slaughter committed to their knowledge
Whereupon the Sher. of Ann Arundell County is commanded to take the said