

101  
For as much as a dispute hath arisen in the House concerning the due-ness  
of the Election of the gentlemen appearing as delegates for Battemore County  
we desire His Hon<sup>r</sup> the Chancellour will upon oath examine Thomas &  
Brown, Thomas Roberts, Francis Robinson, Nicholas Fitzsimons, &  
Subscribers to the indentures and what other persons y<sup>e</sup> Can give their Testi-  
mony therein in relation to that Election and Certify the Same to this  
House.

Signed by Order. W. Bladen Esq. House of Assem<sup>y</sup>.

In answer thereto the aforesaid Gent<sup>l</sup> of Battemore County bring the  
following Message.

By the Gov<sup>r</sup> and Councill in Assembly March 11<sup>th</sup> 1698.

In answer to the House's Request about Battemore County delegates  
the following persons were examined and sworn before the Hon<sup>r</sup> Henry  
Lowles Chancell<sup>r</sup> in Councill concerning the election of the said  
Delegates viz<sup>t</sup> - Thomas Brown, Thomas Roberts, Francis Robinson,  
Nicholas Fitzsimons, Samuel Brown, and Edward Haufly, who  
upon their Oaths do severally say that Mr. Robert Ashman, Mr. Thomas  
Galy, Mr. John Hony and Mr. John Hoall, by Indenture returned to serve  
as Delegates for Battemore County this present Assembly were freely and  
Duly Elect<sup>d</sup> by the freeholders of the said County without any opposition

Signed by Order - Mr. Denton Esq. Councill.

Whereupon put to the Question in the House, whether the said Gent<sup>l</sup>  
be duly Elect<sup>d</sup> and ought to sitt as Representatives of the County of  
Battemore or not - and Carried in the Affirmative that they are  
duly Elect<sup>d</sup> - and ought to sitt.

Put to the Question if the Sheriff of Battemore County for his Mak-  
ing such insufficient returns shall not be sent for and examined before  
this House thereupon. And Carried in the Affirmative that he shall  
be sent for.

Whereupon Resolved Mr. Speaker send his warrant for him  
which was done as followeth

Whereas Maj<sup>r</sup> James Maxwell High Sheriff of Battemore County  
hath not made any perfect or sufficient returns of the election of the  
Delegates or Representatives of the said County - This we do give our  
Command as also to authorize and empower you George Robinson Messenger  
Especially appointed in the Nature of Sec<sup>y</sup> att<sup>r</sup> Arms, immediately to repair  
into Battemore County and there to take and bring along with you the said  
Maj<sup>r</sup> James Maxwell to answer his Misfeasance therein before this  
House.

Signed by Order.

To George Robinson Messenger Especially appointed in the Nature  
of Sec<sup>y</sup> att<sup>r</sup> Arms for the executing this precept.

W. James Sanders and Col. John Thompson Reporte to the House