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there did to the great damage of him the said Titus and against the peace of the right Honourable the Lord proprietary that now is and so forth, whereby the said Titus saith he is the worse and hath damage to the value of three hundred pounds Current money of Maryland, and therefore he brings suit and so forth.

Thos. Johnson, for the Plaintiff. pledges pro John Doe & Rich. Roe

And the aforesaid John Wade, and Francis Meek, by John Hall their attorney come and defend the force and injury when and so forth, and enters into the common rule, and pray leave to imparle hereunto until next Court, and they have it, and the same day is given to the Plaintiff also –

At which said next Court to wit, the seventeenth day of October Anno Domini seventeen hundred and sixty nine, comes again here into his Lordships provincial Court as well the aforesaid Titus Trueright Lessee of the aforesaid Henry Moore and Burdett Hamblton, by his attorney aforesaid, as the aforesaid John Wade, and Francis Meek by their attorney aforesaid, And the aforesaid John Wade, and Francis Meek by their attorney aforesaid take defence according to their pretensions as they shall appear to be laid down on the return of a warrant of resurvey to be served in this cause, and pray further leave to imparle hereunto until next Court, and they have it, and the same day is given to the Plaintiff also –

At which said next Court to wit, the tenth day of April Anno Domini seven hundred and seventy, comes again here as well the aforesaid Titus Trueright Lessee of the aforesaid Henry Moore and Burdett Hamblton by his attorney aforesaid, as the aforesaid John Wade and Francis Meek by their attorney aforesaid, And the aforesaid John Wade and Francis Meek by their attorney aforesaid pray further leave to imparle hereunto until next Court, and they have it, and the same day is given to the Plaintiff also.

At which said next Court to wit. the Eleventh day of September Anno Domini seventeen hundred and seventy, comes again here as well the aforesaid Titus Trueright Lessee of the aforesaid Henry Moore and Burdett Hamblton by his attorney aforesaid, as the aforesaid John Wade and Francis Meek by their attorney aforesaid, and the aforesaid John Wade and Francis Meek by their attorney aforesaid pray further leave to imparle hereunto until next Court, and they have it, and the same day is given to the Plaintiff also.

At which said next Court to wit, the Ninth day of April Anno Domini seventeen hundred and seventy one, comes again here as well the aforesaid Titus Trueright Lessee of the aforesaid Henry Moore and Burdett Hamblton by his attorney aforesaid, as the aforesaid John Wade and Francis Meek by their attorney aforesaid And the aforesaid Titus Trueright Lessee of the aforesaid Henry Moore and Burdett Hamblton by his attorney aforesaid suggest to the Court here that he cannot safely proceed at this term to the trial of this cause for want of material Testimony, and prays that a further day may be given for the trial thereof, and files in Court the following affidavit to wit.

Burdet Hamilton & John Moore
a
John Wade & Francis Meek

Provincial Court April Term 1771.
On the 22d. day of April 1771. Burdett Hamilton the Plaintiff in the action aforesaid

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made Oath that a certain Joseph Ratcliff is a material Witness for the Plaintiffs in the above suit, and that the said Joseph Ratcliff now resides out of the Jurisdiction of this Court to wit, in the Colony of Virginia, and that the said Burdett Hamilton hath used his reasonable endeavours to procure the said Joseph Ratcliff to come to this Court, but has not been able to procure his attendance, and that he the said Hamilton expects the said Joseph Ratcliff to attend at the next Term –

sworn to in open Court Test R Ghiselin Clk.

which being proved to the Court according to the act of assembly in such cases made and provided. Therefore it is considered and adjudged by the Court here that the aforesaid John Wade and Francis Meek recover against the aforesaid Henry Moore and Burdett Hamblton Lessors of the aforesaid Titus Trueright, all costs of this suit by them about their defence in this suit laid out and expended; Thereupon further process of and upon the premises aforesaid between the parties aforesaid, by consent of the said parties, and their attorneys aforesaid, and by order of the Court here thereon, is continued until the second Tuesday of Septr. then next following –

And now here at this day to wit, the said second Tuesday of September being the tenth day of the same month Anno Domini seventeen hundred and seventy one comes again here as well the aforesaid Titus Trueright Lessee of the aforesaid Henry Moore and Burdett Hamblton by his attorney aforesaid, as the aforesaid John Wade and Francis Meek by their attorney aforesaid, And the aforesaid John Wade and Francis Meek by their attorney aforesaid say that they cannot deny the action aforesaid of the aforesaid Titus Trueright Lessee of the aforesaid Henry Moore and Burdett Hamblton so as aforesaid against them brought, nor but that the said Titus Trueright Lessee of the aforesaid Henry Moore and Burdett Hamblton, ought to recover his Term yet to come and unexpired of in and unto all that Tract or parcel of plantable Land called Chaumans Purchase lying and being in Charles County aforesaid with the appurtenances containing two hundred acres of Land

Therefore it is considered by the Justices here that the aforesaid Titus Trueright Lessee of the aforesaid Henry Moore and Burdett Hamblton recover against the aforesaid John Wade and Francis Meek, his Term yet to come and unexpired of in and unto all that Tract or parcel of plantable Land called Chaumans Purchase lying and being in Charles County aforesaid, with the appurtenances containing two hundred acres of Land, and that he have thereof his possession against the aforesaid John Wade and Francis Meek, and so forth – And it is also considered that the aforesaid Henry Moore and Burdett Hamblton Lessors of the aforesaid Titus Trueright, recover against the said John Wade and Francis Meek the quantity of pounds of Tobacco by the Court here unto them on their assent adjudged, for their costs and charges by them about their suit in this behalf laid out and expended, and the said Defendants in mercy and so forth. –

Test Reverdy Ghiselin Clk