

served by the sheriffe claymed property in the said Colt, Yet Notwithstanding the said Colt was delivered into the Custody of the said Plt, w^{ch} hee ought not to have done, but to have Returned the Clayme of the Defend^{ts} property Liber W. C.

3 Its Erro^r in that. The p^{ts} plea in barr to the defend^{ts} Avowry is uncertaine and Insufficient, in that hee saith that the said Colt is not the proper Colt of the said Richard Atwood, Whereas hee ought to have said That the said Colt att y^e supposed time of the takeing and Detaining of the same by the said Richard Atwood was not then nor ever since the proper Colt of him the said Richard wthout Averment of w^{ch} the said Richard might to have had at that time a property, and then noe Cause of Ac^{con} att the time of bringing the said Writt for the takeing and Detaining

W^{ch} Reasons aforesaid being Read heard and Argued, and by the Justices here fully Understood Itt Seemeth to the same Justices, that the Error in the second Reason aforesaid is sufficient in Lawe to Arrest Judgment upon the Verdict of the Jurors aforesaid, Therefore Itt is Considered that the said Marke Cordea take nothing by his writt but bee in mercy for his false claime thereupon, and the said Richard Atwood may goe thereof wthout Day And that the said Richard Atwood Recover against the said Marke Cordea the Sume of ffourteene hundred Twenty and eight pounds of Tobacco for his Costs and charges by him about his defence this behalfe laid out and expended, And the said Richard may have thereof Execution

Robert Doyne ag ^t William Wright	}	William Wright late of Charles County Plant ^r was attached to Answere unto Robert Doyne of a plea of Trespas upon the case	p. 170
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And whereupon the said Robert Doyne by Kenelme Cheseldyne his Attorney Complaineth That Whereas by one Act of Assembly made att an Assembly begunn and held att st Maryes the Tenth day of October in the yeaere of our Lord god one thousand six hundred seaventy one, And by severall subsequent Acts Revived and Continued and now standing in force. Intituled an Act Concerning those servants that have Bastards, Itt is Enacted that every such mother of a Bastard Child not Able sufficiently to prove the party charged to bee the begetter of such Child, in Every such Case the mother of such Child shall onely bee lyeable to satisfie the damages soe sustained by Servitude or otherwise as the Court before whome such matter is brought shall see fitt and Convenient Provided that where the mother of any such Child as aforesaid shall bee Able to prove her charge Either by sufficient Testimony of witnesses, Confession or Regnant Circumstances agreeing wth her Declaration in the extremity of her Paines and Throwes of Travaile, or her oath Taken by same Majestrate, then the pty Charged If a Sarvant to satisfie half the said Damage, if a freeman