provided make return to the Judges of our Court here of the same Writ with the following Record to wit.

The State of Maryland to wit. At a General Court for the Western Shore of the said State begun and held at the City of Annapolis on the second Tuesday of May being the tenth day of the same Month in the year of our Lord one thousand seven hundred and ninety six, And in the Twentieth year of the Independence of the said State.

Present

The Honorable Robert Goldsborough Esquire Chief Judge
Samuel Chase and Gabriel Duvall, Esquires Puisne Judges
Richard Harwood Esquire Sheriff. John Gwinn Clerk.

In the Record of proceedings of the same Court among others is the following to wit.

Wm. Alexander Hamilton against Wm. Zachariah Maccubbin

Be it Remembered that heretofore, to wit, on the thirteenth day of April Anno Domini seventeen hundred and ninety five, the Plaintiff by William Cooke his Attorney sued out of our General Court the Writ of the State of Maryland Capias ad respondendum directed to the Sheriff of Montgomery County, in the words and figures, following, to wit.

The State of Maryland, &c. To the Sheriff of Montgomery County, greeting, We command you that you take Zachariah Maccubbin late of Montgomery planter otherwise called Zachariah Maccubbin of Montgomery County in the State of Maryland, if he shall be found in your bailiwick, and him safe keep, so that you have his body before the Judges of our General Court, to be held at the City of Annapolis on the second Tuesday of May next, to answer unto Alexander Hamilton of a plea that he render unto him the full and just sum of Four hundred and ninety seven pounds six shillings Current money which to him the said Zachariah owes and unjustly detains and so forth, hereof fail not at your peril, and have you then and there this Writ. Witness the Honourable Samuel Chase Esquire, Chief Judge of our said Court, the 10th day of February Anno Domini 1795. &c.

Issued the 13th day of April 1795. (Wm. Cooke) John Gwinn, Clerk.

And the aforesaid Alexander Hamilton by his Attorney aforesaid declared against the aforesaid Zachariah Maccubbin in the plea aforesaid in manner and form following, to wit,

Western Shore, State of Maryland, Montgomery County, ss. Zachariah Maccubbin late of Montgomery County planter, otherwise called Zachariah Maccubbin of Montgomery County in the State of Maryland was summoned to answer unto Alexander Hamilton of a plea, that he render unto him the full sum of Four hundred and ninety seven pounds six shillings Current money which to him the said Zachariah owes and unjustly detains and so forth, whereupon the said Alexander by William Cooke his Attorney, saith that

whereas the aforesaid Zachariah on the twentieth day of December in the year one thousand seven hundred and ninety three at Montgomery County aforesaid, by his certain Writing obligatory acknowledged himself to be held and firmly bound unto him the aforesaid Alexander in the sum of Four hundred and ninety seven pounds six shillings Current money to be paid to him the said Alexander when afterwards he should be thereunto required, Nevertheless the aforesaid Zachariah although often thereunto required, the aforesaid sum of Current Money to him the said Alexander hath not rendered or paid, but the same sum of Current Money to him hitherto to render or pay he hath altogether refused, and still doth refuse, wherefore the said Alexander saith he is the worse, and hath Damage to the value of Five hundred pounds Current money and therefore he brings Suit, and so forth. And brings here into Court the writing obligatory aforesaid, Sealed with the Seal of the aforesaid Zachariah which the Debt aforesaid in form aforesaid, Witnesseth, the date whereof is the day and year aforesaid, and so forth.

W. Cooke for the Plaintiff. Pledges and so forth John Doe & Richard Roe.

The Oyer of the Writing obligatory aforesaid, and the condition thereof, follow in these words, to wit. Know all Men by these presents that we Nicholas Pegno and Zachariah Maccubbin of Montgomery County in the State of Maryland are held and firmly bound unto Alexander Hamilton of Prince Georges County and State aforesaid in the full and just sum of Four hundred and ninety seven pounds six shillings Current money of Maryland to be paid unto the said Alexander Hamilton his certain Attorney Executors Administrators or Assigns, To the which payment well and truly to be made and done We bind ourselves our Heirs Executors and Administrators jointly and severally firmly by these presents Sealed with our Seals, dated this twentieth day of December seventeen hundred and ninety three. The Condition of the above obligation is such that if the above bound Nicholas Pegno and Zachariah Maccubbin do and shall well and truly pay or cause to be paid unto the said Alexander Hamilton his certain Attorney Executors Administrators or Assigns the full and just sum of Two hundred and forty eight pounds thirteen shillings like Money on or before the first day of April next ensuing with legal Interest for the same till paid then the above Obligation to be void or else to remain in full force and virtue in Law.

Signed Sealed & delivered in the presence of Wm. Smith, Henry McPherson. Nich.s Pegno (seal) Zach.h Maccubbin (seal)

A Copy of which aforegoing Declaration and Oyer was made and sent with the Writ which issued in the plea aforesaid.

At which mentioned second Tuesday of May being the twelfth day of the same Month Anno Domini seventeen hundred and ninety six, and the day of the return of the aforegoing Writ comes here into our General Court the aforesaid Alexander Hamilton by William Cooke his Attorney aforesaid and the Sheriff of Montgomery County to whom the said aforegoing Writ was made and directed likewise comes and makes return thereof, to the Court here, thus endorsed, to wit, [illegible]

Cepi Copy, Left 18th April. Benj.n Ro[illegible]

And the said Zachariah Maccubbin being called [illegible] on appearance [illegible] the Prayer of the aforesaid Alexander Hamilton by his Att[illegible]