Marmaduke in the Sum of One hundred and one Pounds Eighteen shillings and Six pence — Current Money of Maryland and One hundred Pounds Sterling Money of Great Britain for a Parcel of European Goods by the same Marmaduke to the same Thomas Fairweather before that time there sold and delivered at the Special Instance and request of the said Thomas Fairweather As by the Accounts thereof he saith shewn in Court Appeareth and so thereof being Indebted the said Thomas Fairweather in Consideration thereof afterwards to wit the same day and year at the County aforesaid upon himself Assumed and to the same Marmaduke then and there faithfully Promised that he the same Thomas Fairweather the aforesaid Sums of Current and Sterling money when thereof afterwards he should be required would well and faithfully pay and Content Nevertheless the same Thomas Fairweather his Promise and Assumption aforesaid not Regarding but minding and fraudulently intending the same Marmaduke in this part Craftily and Subtilly to Deceive and Defraud (altho he did afterwards pay the said Sums of Current Money) as to the said One hundred Pounds Sterling that last Sum of any part thereof unto the Same Marmaduke yet hath not paid or therefore in any manner made Content altho that to do the same Thomas Fairweather afterwards to wit the Fourth day of May in the year aforesaid fourteen hundred and fifty one at the County aforesaid by the same Marmaduke was required — but that unto him to pay or therefore in any manner to make Content hitherto hath altogether Refused and still doth Refuse to the Damage of the Same Marmaduke one hundred Pounds Sterling Money of Great Britain and therefore he brings this Suit &c.

Johnson
Rich. Rod

At which said third Tuesday in August came Thomas Fairweather by James Calder his attorney and Defended the force and Injury when &c and Prayed liberty of Imparling and Pleading until the third Tuesday in November next and he had it the same day was given to the Plaintiff also

At which said third Tuesday in November the Parties aforesaid by their Attorneys aforesaid and the Defendant aforesaid by his attorney aforesaid as before Defended the force and Injury when &c and Prayed further liberty of Imparling and Pleading until the third Tuesday in March next and he had it the same day was given to the Plaintiff also

At which said third Tuesday in March came the Parties aforesaid by their — attorneys aforesaid and the Defendant aforesaid by his Attorney aforesaid as before Defended —

(the)

the force and Injury when &c and says that he did not Assume upon himself in manner and form as the aforesaid Marmaduke Tilden above against him Complains and of this he puts — himself upon the County and the Plaintiff in like manner, Thereupon the Action was Continued untill the third Tuesday in June next

J. Smith Clk

In Testimony that the aforegoing is a true Copy from the Records of Kent County there hereunto set my name and affixed the Publick Seal of the County aforesaid this 16th day of September Anno Domini 1752

J. Smith Clk

And now here at this day to wit the 19th day of September Anno Domini 1752 Comes as well the said Marmaduke Tilden by his attorney aforesaid as the said Thomas Fairweather by Daniel Dulany his attorney, and thereupon the said cause is Continued untill next Court —

At which said next Court to wit the 10th day of April Anno Domini 1753 Comes again as well the said Marmaduke Tilden by his attorney aforesaid as the said Thomas Fairweather by his attorney aforesaid whereupon all and Singular the Allegations as well of the said Plaintiff by his attorney aforesaid as the said Thomas Fairweather by his Attorney aforesaid in Relation to the Premises aforesaid being fully heard and understood and mature Deliberation thereupon had It is Commanded that the Justices of Kent County aforesaid Proceed in the action and Premises in the Record aforesaid mentioned as if the said Writ of Habeas Corpus had never got Issued anything in the said Writ of Habeas Corpus Contained to the Contrary thereof Notwithstanding

And it is also Considered that the said Marmaduke Tilden Recover against the said Thomas Fairweather the Sum of

397 1/5. Pounds of Tobacco by the Court here on his Appeal unto him Adjudged for his Costs — and Charges by him in this behalf laid out and expended by occasion of the Premises aforesaid &c

Test. R. Burdus Clk

Rt. Richard Oswald ... vs. Rt. Charles Hynson } Command was given to the Sheriff of Kent County that he should take Charles Hynson Late of Kent County Gentleman otherwise called Charles Hynson of said County if he should be found in his Bailiwick and him should safe keep so that he might have his Body before the Justices of his —

(Lordships)