the Action of the Said Thomas against them the Said George and William for which Reason the aforesaid Thomas Jones his Damages against the aforesaid George Buchanan and William Hamilton by Occasion of the Premises aforesaid Ought to recover and because it is Convenient that there should be but one Taxation of Damages in this Behalf therefore let Stay the Issuing the Writ of Inquiry of Damages aforesaid against the aforesaid George and William by Occasion of the Premises aforesaid until the Issue of the Country Between the parties aforesaid above Joined be tryed —

Thereupon as to the trying the Issue on the Country above Joined between the Parties aforesaid Command is given to the Sheriff of Somerset County that Immediately he should cause to come before his Lordship's Justices now Sitting at Princes Ann Town this Instant November twelve good free and Lawful Men of the County aforesaid (whereof every one hath a freehold in the Said County by whom the truth of the Premises aforesaid may be the better know and who neither the aforesaid Thomas Jones nor the aforesaid George Buchanan and William Hamilton touch by any Affinity to Recognize upon their Oath of and upon the Premises aforesaid because as well the aforesaid Thomas Jones as the aforesaid George Buchanan and William Hamilton have put themselves upon that Jury —

And afterwards in the same Court before the Justices thereof came as well the aforesaid Thomas Jones as the aforesaid George Buchanan and William Hamilton by their Attorneys Also and the Sheriff to wit Henry Ballard Gent: return the aforesaid Writ of Venire facias and the name of the Jurors in all things Served and executed and the Jurors of that Jury thereof Impannelled being being called Some of them to wit Joseph Dashiel Leve Woolford William Adams Whitly Turpin Spencer Harris John Elzey Joseph Scroggin Henry Polder and William Revell came and was Sworn upon that Jury and because the Residue of the Jurors of that same Jury did not appear therefore others of the By Standers by the Sheriff of the County aforesaid hereunto Elected and at the request of the aforesaid Thomas Jones and by the Command of the aforesaid Justices are newly put on whose Names to the Pannel within Written are filed according to the form of the Statute in Such Case made and Provided which Same Jurors newly put on to Wit John Fitz Joshua Whittington and William Jones being called likewise came who to Say the truth in the Premises aforesaid Together with the Other Jurors aforesaid before Impannelled and Sworn being Elected tryed and Sworn upon their Oath Say that the aforesaid George Buchanan and William Hamilton did Assume upon themselves in manner and form as the aforesaid Thomas above against them hath declared and Assess the Damages of the Same Thomas by Occasion of the Nonperformance of the Promise and Assumption aforesaid beyond his Costs and Charges by him about his Suit in this part to Seven Pounds thirteen Shillings and four Pence Sterling Sterling and for those Costs and Charges to one Pound of Tobacco —

Therefore it is Considered that the aforesaid Thomas Jones recover against the aforesaid George Buchanan and William Hamilton his Damages aforesaid by the Jurors aforesaid in form aforesaid Assessed as also five hundred and Seventy four Pounds of Tobacco for his Costs and Charges aforesaid to the Same Thomas Jones by the Court here of his Assent of Increase adjudged which certain Damages in the whole amount to Seven Pounds thirteen Shillings and four Pence Sterling and five hundred and Seventy five Pounds of Tobacco and the aforesaid George and William in Mercy —

Whereupon the Said George Buchanan and William Hamilton by their Attorney aforesaid present here in Court pray an Appeal from the Judgment of this Court so as aforesaid Rendered against them unto (the)

the next Provincial Court to be held at the City of Annapolis which is by the Court here unto them Granted Thereupon a certain Henry Lowes, Tubman Lowes and Thomas Slop of Somerset County Gent: present here in Court in their proper Persons undertook for the said George Buchanan and William Hamilton and became Security for them on the aforesaid Appeal in Manner following Somerset County to wit —

Know all Men by these Presents that We Henry Lowes Tubman Lowes and Thomas Slop of the County aforesaid are held and firmly bound unto Thomas Jones in the Sum of fifteen Pounds Six Shillings and Eight pence Lawful Money of Great Britain and the Quantity of Eleven hundred and fifty Pounds of net Tobacco to be paid to the Said Thomas Jones his Executors Administrators or Assigns to the which Payment whereof We bind ourselves and each of us our and each of our heirs Executors and Administrators firmly by these Presents Sealed with my Seal and Dated this 19th Day of November Anno Dom: 1754 —

The Condition of the above Obligation is Such that Whereas the Said Thomas Jones hath in this Term Recovered a Judgment against George Buchanan and William Hamilton for the Sum of Seven Pounds thirteen Shillings and four pence Lawful Money of Great Britain and the Quantity of five hundred and Seventy five Pounds of Net Tobacco from which Said Judgment the Said George and William have appealed to the next Provincial Court to be held at the City of Annapolis for the Province of Maryland now if the Said George Buchanan and William Hamilton shall prosecute the Said Appeal in the Said Court with Effect and also Satisfy and pay to the Said Thomas Jones his Executors Administrators or Assigns in Case the Said Judgment shall be Affirmed as well the Said Sum of Seven Pounds thirteen Shillings and four Pence Sterling the Said Five hundred and Seventy five Pounds of Net Tobacco as also all the Costs and Damages that shall be Awarded by the Said Provincial Court upon the Prosecution of the Said Appeal then this Obligation to be void —

Hen: Lowes (Seal)
Tub: Lowes (Seal)
Thos: Slop (Seal)

Sealed and Delivered
In Presence of
Wm Hayward
Levin Gale

I hereby Certifie that the above and within Transcript is a true Copy from one of the Record Books belonging to Somerset County wherein the Same is Entered —

In Testimony whereof I have hereto Set my Hand and Affixed the Seal of the County of Somerset this first day of April Anno Dom: 1755 —

Thomas Hayward Junr Clk Com Somt.

And now here at this day to wit the third Tuesday of May being the twentieth day of the same Month Anno Dom: 1755 Come into his Lordship's Provincial Court here as well the aforesaid George Buchanan and William Hamilton by Stephen Bordley their Attorney as the Said Thomas Jones by Daniel Dulany his Attorney and the aforesaid George and William by their Attorneys aforesaid come and Say that in the Record and Process aforesaid as also in rendering the Judgment aforesaid in form aforesaid rendered was rendered for the aforesaid Thomas against them the Said George and William whereas by the Law of the Land Judgment ought to have been rendered for them the Said George and William against the aforesaid Thomas whereofore in this it is Manifestly erred and therefore the Said George and William pray that the Judgment aforesaid for (the)