It is considered by the Court here that the said John Hall Recover against the said John Tendall as well the Sum of Sixty Six Pounds Seventeen Shillings and Six Pence Sterling Money his Debt aft in form aforesaid Acknowledged as also the Sum of Pounds of Tobacco by the Court here unto him on his Apeal adjudged as well for his damages Sustained by occasion of the detension of that Debt as for his Costs & Charges by him about his Suit in this Behalf said out and Expended, and the said Defendant in Mercy &c

Memorandum The Plaintiff agrees to stay Execution till the 10th Febr: next

Test Reverdy Ghisslein Clk

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113. Nicholas Maccubbin for the Use of Henry Carroll a John Elliot

Memorandum The Defendant By John Hall his Attorney Sues out his Lordships Writ of Habeas Corpus the Tenor whereof follows in these Words to wit

Frederick absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c To forth To the Sheriff of Ann Arundel County Greeting Whereas a certain John Elliot is detained in the Prison of our said County under the Custody of you our Sheriff at the Suit of a certain Nicholas Maccubbin of a plea of Trespass upon the Case which said plea as it is said Still depends before you our said Justices undetermined And we being willing for divers Causes that the plea aft undetermined as aforesaid shall be heard and determined before the Justices of our Provincial Court therefore we Command you that you have the Body of the said John Elliot by whatsoever name he be called in the plea aforesaid together with the day and Cause of his Caption and detainer and all things thereunto relating before the Justices of our Provincial Court to be held at Annapolis the Second Tuesday of April and that said Justices may further proceed therein as to Justice appertains and of forth Above of Juri. and at your Peril and have you then and there this Writ Witness John Brice Esqr Chief Justice of our Provincial Court the 26 day of September in the 11th year of our Dominion &c And in the Year of our Lord Seventeen hundred and Sixty one

Issued the 12th day of March 1762. (J. Hall) Reverdy Ghisslein Clk

Allowed per John Brice

And now here at this day to wit the Second Tuesday of April 1762 The Justices and Sheriff of Ann Arundel County return to the Court here the following Record Viz

For the Records and Proceedings of Ann Arundel County Court amongst other things there in contained is as follows Viz Ann Arundel County ss

At a County Court of the Right Hon:ble Frederick Absolute Lord and Proprietary

of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c began and held at the City of Annapolis in and for the County aft on the Second Tuesday of March being the Ninth day of the Same Month in the Eleventh Year of the said Lord Proprietary Domin &c Anno Domini Seventeen hundred and Sixty two

Were Present

The Worsh:full Hen: Hall Gent Presiding Justice, John Sjams, Ephraim Howard, Reverdy Ghisslein, William Stewart & Caleb Dorsey Justices Gent

Nimrod Johns Gent Sheriff and John Brice Clerk

ND Nicholas Maccubbin for the Use of Henry Carroll a TJ. John Elliott

Command was given to the Sheriff of Ann Arundel County that he Should take John Elliot late of Ann Arundel County Planter if he Should be found in his Bailiwick and him Safely keep So that he might have his Body before his Lordships Justices of Ann Arundel County Court to be held at Annapolis the Second Tuesday of March then next to Answer unto Nicholas Maccubbin in a plea of Trespass upon the Case and to forth And that thereof he the said Sheriff Should not fail at his Peril &c At which said Second Tuesday of March to wit the 10th day of the Same Month Anno Domini 1761 being the day of the Return of the aforegoing Writ comes the said Nicholas Maccubbin by Stephen Bordley his Attorney and the Sheriff of Ann Arundel County to whom the Same Writ was directed likewise comes and makes Return thereof to the Court here thus indorsed Viz.

Expi Nimrod Johns Sher.

And the said John Elliot being called upon appears and at the prayer of the Plaintiff by his Attorney aft the said John Elliot is adjudged to give Special Bail to the Action aft Thereupon John Sjames Junr of Ann Arundel County Planter Present here in Court undertakes for the said John Elliot that in case the said Nicholas Maccubbin Shall recover Judgment against the said John Elliot in the plea aft or that then the said John Elliot Shall be thereinlegally convicted that then the said John Elliot Shall pay the condemnation of the Court in the plea aft or render his Body into the Custody of the Sheriff of Ann Arundel County in Satisfaction thereof or that he the said John Sjames Junr will do the Same for him and the said Nicholas Maccubbin by his said Attorney complains against the aft John Elliot in the plea aforesaid as follows Viz Anne Arundel County ss John Elliot late of Ann Arundel County Planter was attached to Answer unto Nicholas Maccubbin in a plea of Trespass upon the Case &c and whereupon the said Nicholas Maccubbin by Stephen Bordley his Attorney complains that whereas a certain John Cheney Son of John being a person trading Merchandizing and using Commerce within this Province to wit at Ann Arundel County aft did on the Eleventh day of March Seventeen hundred and fifty Seven at the County aft according to the Usage and Customs of Merchants in Great Britain and this Province sane out of Mind Used and approved make and with his Proper hand Subscribe his certain Second Bill of Exchange in writing bearing date the day and Year aforesaid and the Same Bill directed to a certain William Perkins Merchant in London and