Plea aforesaid & that he the said John Hall will to the same for him
And thereupon the said James Selbirt declares against the said John
Nelson in the plea aforesaid as follows to wit
Ann Arundel County ss: John Nelson late of Ann Arundel County Mariner
was attached to answer unto James Selbirt in a plea of the case upon the
Case &c. And thereupon the said James by John Hall his attorney complains
that whereas the aforesaid John Nelson on the fifteenth day of August on the year
Seven hundred and sixty One at Ann Arundel County aforesaid was indebted
unto him the said James in the sum of Twenty seven pounds ten Shillings sterling
Money for One Articles profitably chargeable in Account as by a particular Account
thereof shewn with into Court brought may appear and being so thereof indebted
the aforesaid John Nelson the art on the day and year aforesaid upon himself
assumed and to the said James then and there faithfully promised that he the
said John Nelson the aforesaid sum of Money to him the said James when aforesaid
he should be thereunto required would well and truly content and pay Nevertheless
the aforesaid John Nelson his promise and assumption aforesaid so as aforesaid
made not regarding but minding and fraudulently intending him the said
James in this behalf craftily and subtilly to deceive and defraud the aforesaid
sum of Money or any part thereof to him the said James hath not contented
or paid although often to do the aforesaid John Nelson was afterwards to wit on the
Day and year aforesaid and often afterwards at the County aforesaid by him the
said James was requested But that the same or any part thereof to content or pay
he hath hitherto altogether refused and still doth refuse to the damage of
him the said James in the Sum of Fifty pounds Sterling money aforesaid
and therefore he brings Suit and &c. Pledges and &c. John Doe & Richd Roe

The account mentioned in the aforegoing Declaration follows in these words Viz.

1760 Capt John Nelson Dr in Acct with James Selbert Contra Dr

1760 To my wages on board the Snow Alexander employing in Choptico River from the 11th day Nov. 1760 to the 16th Aug. 1761 being 9 months and 5 days at £3. Sterling p Month } 27. 10. 0

18th August 1761 Came the within named James Selbirt before me the Subscriber one of his Lordships Justices of the Peace for Ann Arundel County and made oath on the Holy Evangels of Almighty God that the within Account is just and true as it stands Stated and that he has not nor ever received any part a parcel of the within Account any further than and except the Sum of £ 27. 10. 0 and that he does not at present remember to the best of his knowledge the amount of which he does not exactly remember

Thos Smyth

And the said John Nelson by his attorney aforesaid Defends the force and
Injury when and &c. and prays leave to Imparle hereunto until next Court
and he hath it and the same Day is given to the Plaintiff also
At which said next Court to wit the ninth day of March anno Domini

(One)

One thousand Seven hundred and Sixty two Come again the said parties Plaintiff
and Defendant by their attorneys aforesaid and the said Defendant by his said attorney
prays further leave to Imparle hereunto until next Court and he hath it and the same
Day is given to the Plaintiff also
At which said next Court to wit the eighth day of June anno Domini one thousand
Seven hundred and Sixty two Come again the said parties Plaintiff and Defendant
by their attorneys aforesaid and the said Defendant by his said attorney prays further
leave to Imparle hereunto until next Court and he hath it and the same day is
given to the Plaintiff also
At which said next Court to wit the Tenth day of August anno Domini One
thousand Seven hundred and Sixty two Come again the said parties Plaintiff
and Defendant by their attorneys aforesaid and the said Defendant by his said
attorney files the following account in Court to wit

1760 James Selbirt Saylor of the Snow the Xander Jno Nelson Master Dr

	Stg
To 7 Gallons Brandy at Sundry times at 5/	£1. 15. 0
To 1 Mo Tobacco at 2/6	10
To 1 Shoe	10
To Cash advanced at Annapolis	8
	£3. 3. 0
To 2 Months Advanced Wages	16. 0
	£9. 3. 0

Errors Excepted pr John Nelson

John Nelson within named made oath on the Holy Evangelists of Almighty God
that the within Account is just and true to his knowledge he never did directly
or indirectly receive any part or parcel of the Money Charged as due by the same
Account nor any thing in Security or Satisfaction for the same Before me one
of his Lordships Justices of the Provincial Court this 25th day of Sept. 1762

Sworn before Geo Stewart

And thereupon the aforesaid Defendant by his attorney aforesaid prays further leave
to Imparle hereunto until next Court and he hath it at the same day is given to
the Plaintiff also
At which said next Court to wit the ninth day of November anno Domini one
thousand Seven hundred and Sixty two Come again as well the said James
Selbirt by his attorney aforesaid as the said John Nelson by his attorney aforesaid
and the said John Nelson by his said attorney produces in Court here the following
Habeas Corpus the Tenor whereof follows in these words to wit
Maryland to wit Frederick absolute Lord and Proprietary of the Provinces of
Maryland and Avalon Lord Baron of Baltimore &c. To the Justices
(Seal) and Sheriff of Ann Arundel County greeting Whereas a certain John
Nelson is detained in the Prison of your said County under the Custody of you our
said Sheriff at the Suit of a certain James Selbirt of a plea of Trespass upon
the Case as 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)