Answer unto John Hamilton in a plea of Trespass upon the Case &c
and that thereof he the said Sheriff should not fail at his peril
At which said second Tuesday of November to wit the tenth day of the same month
in the year of Our Lord One thousand Seven hundred and Sixty one being the day
of the return of the aforegoing writ Comes the said John Hamilton by John Hall
his attorney and the Sheriff to wit Thomas Johns Gent. to whom the same writ
was directed likewise Comes and makes return thereof to the Court here
thus Indorsed to wit Executed Thomas Johns Shff
Whereupon the said John Nelson being called appears and at the prayer of
the Plaintiff by his attorney aforesaid it is ruled that the said John Nelson
give Special Bail to the action aforesaid and thereupon Certain Samuel
Galloway of the County aforesaid Gent. present herein Court undertakes for
the said John Nelson that in Case the said John Hamilton shall recover
Judgment of the said John Nelson in the plea aforesaid or that he the said
John Nelson shall be therein Legally Convict that then he the said John
Nelson shall pay the Condemnation of the Court thereupon or render his
Body into the Custody of the Sheriff of Anne Arundel County in Satisfaction thereof
or that he the said Samuel Galloway will do the same for him
And thereupon at the prayer of the said John Nelson by Thomas Johnson
Junr his attorney it is ruled that the said John Hamilton give Security
for Costs in the Plea aforesaid Thereupon the said John Hall attorney
for the said John Hamilton undertakes for the said John Hamilton
that in Case the said John Hamilton shall be nonsuited in the plea aforesaid
or otherwise therein Legally Cast that then he the said John Hamilton
shall pay to the said John Nelson all the Costs and Charges which hath
accrued or shall arise in his Defence in the plea aforesaid or that he
the said John Hall will do the same for him
And thereupon the said John Hamilton declares against the said John Nelson
in the plea aforesaid as follows to wit
Anne Arundel County ss. John Nelson late of Anne Arundel County Marinr
was attached to answer unto John Hamilton in a plea of Trespass upon
the Case &c. And whereupon the said John Hamilton by John Hall his
attorney Complains that whereas the said John Nelson on the Sixteenth
day of August in the year of Our Lord Seventeen hundred and Sixty two at Anne
Arundel County aforesaid was Indebted unto him the said John Hamilton
in the Sum of Twenty Seven pounds ten Shillings Sterling money for one
Article of Goods & Chargeable in Account as by a particular account thereof
herewith into Court brought may appear and being so thereof Indebted
the aforesaid John Nelson afterwards to wit on the day and year aforesaid
at Anne Arundel County aforesaid in Consideration thereof upon himself
did assume and to the said John Hamilton then and there faithfully promise
that he the said John Nelson the aforesaid Sum of money to him the
said John Hamilton when afterwards he should be thereunto required

(Would)

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 John Hamilton in this Behalf craftily
and subtilely to Deceive and Defraud the aforesaid Sum of money or any part thereof
to him the said John Hamilton hath not Contented or paid altho so to do the aforesaid
John Nelson ever afterwards to wit on the day and year aforesaid and often afterwards
at the County aforesaid by the said John Hamilton requested But 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 John Hamilton in the Sum of Fifty
five pounds Sterling money aforesaid and therefore he brings Suit and &c. forth
for the Plaintiff Pledges and &c. forth John Doe & Richd Roe
The Account mentioned in the aforegoing Declaration follows in the words to wit,

1760. Capt. John Nelson in Acct. with John Hamilton. Contra . . Cr.

To my wages on board the Snow Alexander now lying in Chester River, from the 11th Nov. 1760 to the 16th August 1761 being 9 months & 5 Days at £3. 0 Stg. p. month.	27. 10. 0

18th August 1761 Came the within named John Hamilton before me the Subscriber one of
his Lordships Justices of the Peace for Kent County & made Oath on the Holy Evangels
of Almighty God that the within Account is Just and true as it stands stated & that he
hath not received any part or parcel of the same Acct. Further than an Account the
said John Nelson may have against him the amount of which he does not
Remember to the best of his Knowledge Pro. Smythe
And the said John Nelson by his attorney aforesaid Defends the force and Injury
when and &c. forth 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 Dom 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 Dom 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 Dom 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 Bar to wit

		Dr.
1760	John Hamilton Saila of the Snow Alexander John Nelson Mastr	£
	To 2 months advanced Wages at 60/	6. —
	To 7 Gallons Brandy at Sundries 5/	1. 15. —
	To 3 pocket Shat & 1 pr Trousers	2. 10
	To doeman's Cloathe	8. 6
1761	To Cash paid him at Annapolis & Chester	9. 19. 6
	Errors Excepted John Nelsone	£11. 10. —

(John)