Worlington and Henry Schoolfield hear the Allegations of the parties
and at such reasonable time as they shall think fitt before the next
prov.cl Court in the presence of the said parties if they having
Convenient notice think fitt to be present and to make their
return thereof to the next prov.cl Court according to the rule and
And thereupon further day is given to the said parties pl.ff and
defend.t in the plea and at their request untill next Court
At which said next Court to wit the second day of October Anno
Dom 1711 Comes against as well the said Edward Hammond by his
attorney and as the said Mathew Scarborough Lad as and by his attorney
and that the said Arbitrators make no return of their Arbitration
in the action and pursuant to the rule and And thereupon by
the Court and Consent of parties, the Arbitration of the said Cause
is referd to Capt John Whittington and Mr John Round auditors
appointed according to the form of the Statute &c in the same
manner as to Wallington & Schoolfield last Court and to make
their return of their said Arbitration next Court And thereupon
further day is given to the said parties pl.ff and defend.t in the
plea and at their request untill next Court
At which said next Court to wit the 8th day of April Anno Dom
1712 Comes against as well the said Edward Hammond by his
attorney and as the said Mathew Scarborough Lad and as and by his
att.ny and but the said Arbitrators make no return of their
Arbitration in the action and pursuant to the rule and thereupon
by the Court and Consent of parties pl.ff and defend.t the rule and is
ordered to be renewed to the said William Whittington and William
Round Empowering them as and to make their return of their said
Arbitration next Court And thereupon further day is given to the
said parties pl.ff and defend.t in the plea and at their request untill
next Court
At which said next Court to wit the 15th day
of July Anno Dom 1712 Comes against as well the said Edward Hammond
by his attorney and as the said Mathew Scarborough Lad as and by his
attorney and but the said Arbitrators make no return of their
Arbitration in the action and pursuant to the rule and thereupon
by the Court and Consent of parties pl.ff and defend.t the rule and
is ordered to be renewed to the said John Whittington & John Round
Empowering them as and to make their return of their said Arbitration
next Court And thereupon further day is given to the said parties pl.ff
and defend.t in the plea and at their request untill next Court
At which said next Court to wit the 7th day of October Anno
Dom 1712 Comes against as well the said Edward Hammond by
his attorney and as the said Mathew Scarborough Lad as and by
his

his attorney and And thereupon the said John Whittington and John Round
the Arbitrators and pursuant to the rule and made their report to the Court
here as follows Viz.t —
Somerset County in Maryland ss. Upon an action of trespass on the Case
depending in the provincial Court between Capt Edward Hammond of the City
and plaint.f & Mr Mathew Scarborough Lad of the last will and testament
of John Custis late of Somerset County dec.d the said Court by the mutuall
Consent of the attorneys of the pl.ff and def.t have referred the determination
to the award and finall Arbitrament of John Whittington Esq.r & Capt John Round
by order of the said Court bearing date the Eighteenth day of July Anno
Dom thereby Commissionating the said John Round to Call the pl.ff &
defend.t in their Capacity and before them &c In Obedience whereunto we
the said John Whittington and John Round did accordingly appoint a time
and did meet and gave notice of the time and place to said pl.ff and
def.t and also to bring with them such Evidence w.ch either or both of them
as they might think requisite or Materiall for Explaining or Clearing
of the Cause or matter before us, who appeard and having heard the
Allegations on the part of the pl.ff as also of the def.t as and
Examined such Evidence as were produced to us and inspected, into of
several accounts laid before us and made order state of the same we
find that the Estate of John Custis standes indebted to Capt Edward Hammond
the sum of two thousand one hundred Sixty one pounds of tobacco & Cask
and do accordingly award that the said Mathew Scarborough Lad
of the last will and testament of the said John Custis ought accordingly
to pay unto the said Capt Edward Hammond the said sum of two thousand
one hundred Sixty one pounds of tob.o and Cask w.th Costs of Suite w.ch
submission to the honourable Courts further order given under
our hands and seales this 27th day of Septem.r Anno Dom 1712

Wm Whittington (Seal)

Wm Round (Seal)

With which foregoing return was returned the following account viz.t

Anno 1705 Jan.y 14 Dr Mr John Custis	lb tob.o
To fodder at sundry times	500
lb.s y.d Cearcs	302
to 2 hd.s and undations	4000
to 11 bushells of Salt	700
to 54 lb of bacon at 4d ℔	216
to 2 hd.s Storage	1200
to 1 bushell of Peas at	40
Dr to the ballance of your account	6958

(Coulza)