The Condition of the above Obligation is such That if the above bounden Patrick Hamilton and John Hamilton Junior or either of them their or either of their Heirs Executors or Administrators shall well and truly Pay or cause to be paid unto the above named Cunyngham and Nisbitt or either of them their or either of their Heirs Executors Administrators or Assigns the just and full Sum of One Hundred and Seventy eight Pounds Eighteen Shillings Current Money as above on or before the first day of November next ensuing with legal Interest untill paid without Fraud or further delay Then the above Obligation to be void also to remain in full force and Virtue

Pat. Hamilton. (L.S.)
John Hamilton Junr. (L.S.)
Jo.n Hamilton. (L.S.)

Sealed and Delivered in Presence of Us ... }
Barrick Williams John Maybury }

And whereupon Charles Rumsey and John Hamilton of Cecil County Gentlemen did come into the Court aforesaid before the Justices aforesaid and became Pledges and Manucaptors for the aforesaid Patrick Hamilton That if it should happen that the same Patrick Hamilton in the Plea aforesaid should be convicted Then the same Charles Rumsey and John Hamilton Granted that all such Damages Costs and Charges which unto the aforesaid Cunyngham and Nisbitt in this part should be adjudged of their Lands and Chattels should be made and to the use of the aforesaid Cunyngham and Nisbitt Levied if it should happen that the aforesaid Patrick Hamilton the Debt and Damages Costs and Charges aforesaid unto the aforesaid Cunyngham and Nisbitt should not pay or himself to the Public Prison of Cecil County aforesaid by that Occasion should not render.

And the aforesaid Patrick Hamilton by his Attorney aforesaid came and defended the force and Injury when and so forth and said that he ought not be charged with the Debt aforesaid by Virtue of the Writing aforesaid because he said that the Writing aforesaid was not his Deed and of that he put himself upon the Country and so forth and the aforesaid Cunyngham and Nisbitt in like manner and so forth.

And the aforesaid Patrick Hamilton with the leave of the Court there and according to the form of the Statute in such case lately made and provided by his Attorney aforesaid further came and defended the force and Injury when and so forth and said that they the said Cunyngham and Nisbitt ought not to have or maintain their Action aforesaid against him the said Patrick Hamilton because he said that he the said Patrick Hamilton at and upon the same day and year mentioned in the Condition aforesaid paid to the said Cunyngham and Nisbitt the aforesaid Sum of One hundred and Seventy eight Pounds Eighteen Shillings Current Money together with the legal Interest thereon in the Condition aforesaid Specified according to the form and Effect of the same Condition and this he was ready to verify wherefore he prayed Judgment whether the aforesaid Cunyngham and Nisbitt ought to have their Action thereof against him and so forth.

And the aforesaid Patrick Hamilton by his Attorney aforesaid prayed that the aforesaid Cunyngham and Nisbitt should give Security for all such Sums of Tobacco which unto the same Patrick Hamilton by the Court therefor his Costs and Charges by him about his Suit in that part sustained should be adjudged the aforesaid Patrick Hamilton should pay if the aforesaid Cunyngham and Nisbitt in the Plea aforesaid should be Non Suited or from maintaining their Action aforesaid should be precluded

And the aforesaid Cunyngham and Nisbitt by their Attorney aforesaid prayed

Liberty of continuing their Action thereof here untill the second Tuesday in September next and they had it The same Day was given to the aforesaid Patrick Hamilton and so forth.

At which aforesaid second Tuesday in September Seventeen Hundred and Seventy four came the Parties aforesaid by their Attornies aforesaid And the aforesaid Cunyngham and Nisbitt by their Attorney aforesaid prayed further Liberty of continuing their Action thereof here untill the second Tuesday in April next and they had it The same Day was given to the aforesaid Patrick Hamilton and so forth.

At which aforesaid second Tuesday in April Seventeen Hundred and Seventy five came the Parties aforesaid by their Attornies aforesaid And the aforesaid Cunyngham and Nisbitt by their Attorney aforesaid prayed further Liberty of continuing their Action thereof here untill the second Tuesday in September next and they had it The same Day was given to the aforesaid Patrick Hamilton and so forth.

At which aforesaid second Tuesday in September Seventeen Hundred and Seventy five came the Parties aforesaid by their Attornies aforesaid And thereupon the Process between the Parties was continued here from the aforesaid second Tuesday in September in the Year Seventeen Hundred and seventy five untill the second Tuesday in April Anno Domini Seventeen Hundred and Seventy Eight according to the Act of the General Assembly of The State of Maryland in such Case made and provided

At which aforesaid second Tuesday in April Seventeen Hundred and Seventy Eight came the Parties aforesaid by their Attorney aforesaid And the aforesaid Cunyngham and Nisbitt by their Attorney aforesaid prayed further Liberty of Continuing their Action thereof here untill the second Tuesday in September next and they had it the same Day was given to the aforesaid Patrick Hamilton and so forth.

At which aforesaid second Tuesday in September seventeen hundred and seventy eight cometh the aforesaid Patrick Hamilton by his Attorney aforesaid And the aforesaid Patrick Hamilton prayeth that the aforesaid Cunyngham and Nisbitt Security for the Costs and Charges of him the same Patrick Hamilton may render. And the aforesaid Cunyngham and Nisbitt although Solemnly called cometh not nor Security for the Costs and Charges of him the same Patrick Hamilton do render nor their Writ aforesaid against the same Patrick Hamilton further Prosecuteth.

Therefore it is considered by the Court here that the aforesaid Cunyngham and Nisbitt take nothing by their Writ aforesaid but that they and their Pledges of Prosecuting to wit John Doe and Richard Roe be in Mercy and that the aforesaid Patrick Hamilton go thereof without Day and so forth And it is further Considered by the same Court here That the aforesaid Patrick Hamilton Do recover against the aforesaid Cunyngham and Nisbitt for his Costs and Charges by him about his Defence aforesaid in this part sustained unto the same Patrick Hamilton by the Court here according to the form of the Statute in such case made and provided Adjudged and that the same Patrick Hamilton have thereof Execution And so forth.

James Earle Clk.

Redmand Cunyngham and John Nisbitt ... } The State of Maryland ss. Command was given to the Sheriff of Cecil County that he should take John Hamilton Junior late of Cecil County Gentleman otherwise called John Hamilton of Cecil County in the Province of Maryland if he &c

v.

John Hamilton ...