That the aforesaid Cunyngham and Nisbitt should give security for all such Sums of Tobacco which unto the same John Hamilton Junior by the Court there for his Costs and Charges by him about his Suit in that part sustained should be adjudged the aforesaid John Hamilton Junior 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 John Hamilton Junr & 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 John Hamilton Junior 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 John Hamilton Junior 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 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 John Hamilton Junr and so forth.

At which aforesaid second Tuesday in September Seventeen hundred and Seventy Eight cometh the aforesaid John Hamilton Junior by his Attorney aforesaid & And the aforesaid John Hamilton Junior prayeth that the aforesaid Cunyngham and Nisbitt Security for the Costs and Charges of him the same John Hamilton Junr may render And the aforesaid Cunyngham and Nisbitt although solemnly called cometh not nor security for the Costs and Charges of him the same & John Hamilton Junr do render nor their Writ aforesaid against the same John Hamilton Junr further Prosecute th.

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 John Hamilton Junior go thereof without Day and so forth And it is further considered by the same Court here that the aforesaid John Hamilton Junior 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 John Hamilton Junior by the Court here according to the form of the Statute in such Case made and Provided Adjudged and that the same

John Hamilton Junior have thereof Execution and so forth. James Earle Clk.

Graham Frank and William Francis Bickerton against John Hamilton

The State of Maryland &c. Command was given to the Coroner of Cecil County or any one of them that he should take John Hamilton late of Cecil County Gentleman otherwise called John Hamilton of Charles Town Cecil County in the Province of Maryland if he should be found in his Bailiwick and him safe keep so that he should have his Body before the Justices of the Provincial Court held at Annapolis the second Tuesday of September then next to Answer unto Graham Frank and William Francis Bickerton of a Plea that he should render them the sum of five thousand six hundred and Ninety Pounds three shillings and six pence Current Money of Maryland which to them he owed and unjustly detained and so forth And that he should not thereof fail at his Peril And that he should have then and there this Writ Witness Daniel of Saint Thomas Jenifer Esquire one of the Justices of said Court the thirteenth Day of May in the third Year of our Dominion Anno Domini 1774.

Issued the second day of August 1774. R Ghislin Clk.

At which aforesaid second Tuesday in September came the aforesaid Frank and Bickerton by George Chalmers their Attorney And the Coroner of the County aforesaid made return of the Writ aforesaid in these Words following to wit Cepi Corpus and Declaration delivered John Hamilton August 19th 1774 Per. John Ward Coroner

And the aforesaid Frank and Bickerton by George Chalmers their Attorney aforesaid themselves in the Plea aforesaid against the aforesaid John Hamilton and complains in manner and form following to wit.

Maryland Cecil County to wit. John Hamilton late of Cecil County Gentleman otherwise called John Hamilton of Charles Town Cecil County in the Province of Maryland was Summoned to answer unto Graham Frank and William Francis Bickerton of a Plea that he render unto them the Sum of Five thousand six hundred and Ninety Pounds three Shillings and six Pence Current Money of Maryland which to them he owed and unjustly detained and so forth. And Whereupon the said Graham and William Francis by George Chalmers their Attorney say that whereas the aforesaid John on the seventh Day of January in the year Seventeen hundred and seventy four at Cecil County aforesaid by his certain Writing Obligatory acknowledged himself to be held and firmly bound unto them the said Graham and William Francis by the Names of Frank and Bickerton of London Merchants in the aforesaid Sum of five thousand six hundred and Ninety Pounds three shillings and six pence Current Money of Maryland to be paid to them the said Graham and William Francis by the Names of Frank and Bickerton when afterwards he should be thereunto required Nevertheless the aforesaid John although often thereunto required the aforesaid Sum of five thousand six hundred and ninety Pounds three shillings and six pence Money aforesaid to the said Graham and William Francis hath not rendered or paid but the same to them hitherto to render or pay he hath altogether refused and still doth refuse wherefore they say they are the worse and have Damage to the value of five hundred Pounds Money aforesaid and therefore they bring Suit and so forth And bring here into Court the Writing Obligatory aforesaid Sealed with the Seal of the aforesaid John which the Deft aforesaid in form aforesaid Witnesseth the Date whereof is the day and year aforesaid &c

G Chalmers for the Plaintiff

Pledges and so forth { John Doe and Richd Roe