before you our said Justices in determined as aforesaid, and we being willing for divers causes that the plea aforesaid in aforesaid should be heard and determined before the Judges of our General Court. We therefore Command you that you have the body of the said Thomas Hicks by whatsoever name or names he may be called in the plea aforesaid together with the cause of his Caption and detention, and all things thereunto relating before the Judges of our General Court to be held for the Eastern Shore of this State at Easton in Talbot County the second Tuesday of April next that the Judges of our said General Court may further proceed thereon as to Justice appertains and forth. Hereof fail not and abycumpaid and have you then and there this writ. Witness the honorable Robert Gotsborough Esquire Chief Justice of our said Court the 12th day of September 1797 Issued the 20th day of March 1798. W Dell. James Park Junior Clerk

At which said second Tuesday in April seventeen hundred ninety eight being the return day of the aforegoing writ, the Justices and Sheriff aforesaid in obedience to the command contained in the said writ to wit, the said Sheriff one hath Seen the body of the said Thomas Hicks and the said Justices further aforesaid have sent to the Court here the following Record to wit —

In the Records and proceedings of Dorchester County Court it is among st other things enrolled as follows to wit: Dorchester County to wit: At a County Court of the State of Maryland held for Dorchester County at Cambridge in the said County the nineteenth day of March seventeen hundred and ninety eight before the honorable John Done Esquire and his Associates the said State Justices of the said County Court of whom were present. John Done Esquire Chief Justice — Moses Le Compte Esq. Robert Dennis Esq. Associate Justices —

Henry Lake Sheriff — A Dickinson Clk —

Robert Nelson, use of Lorman & Sears
vs.
Thomas Hicks.

Command was given to the Sheriff of Dorchester County on the twenty second day of March seventeen hundred ninety seven that he should take Thomas Hicks late of Dorchester County yeoman if in his Bailiwick he should be found, and him in his Custody safely keep, so that he the same have his body before the Justices of our County Court at Cambridge in the said County the third Monday in March then next following to answer unto Robert Nelson of a plea of Trespass upon the case &c. And that he should then and there have that writ. At which said third Monday in March here came into Court the aforesaid Robert Nelson by Nicholas Hammond his Attorney and John Foxlete then the Sheriff of the County aforesaid to the Court here made return, that he had taken the body of the said Thomas Hicks and the same had ready according to the Exigence of the said writ. And the said Thomas Hicks by William Bond Martin his Attorney came here into Court, thereupon the said Thomas at the prayer of the said Robert was ruled to give special bail in the plea aforesaid whereupon Peter Rea of the County aforesaid came here into Court in his proper person & became bail for the said Thomas that if it should happen that Judgment by the Court here for the said Robert in the plea aforesaid

against the said Thomas should be rendered then the same Peter grants that as well the debt aforesaid as all such Damages Costs and Charges which unto the said Robert in the said plea should by the Court be adjudged of his Lands and chattels should be made and to the use of the said Robert levied if it should happen that the said Thomas the said debt, damages Costs and Charges aforesaid unto the said Robert should not pay or his body in Execution of such Judgment to the public prison of the County aforesaid by that occasion should not render. And thereupon day was given as well to the said Robert as to the said Thomas by the Court here until the fourth Monday in October then next following. At which day to wit. the said fourth Monday in October here came into Court the parties aforesaid by their Attornies aforesaid by their Attornies aforesaid, and the said Robert by his Attorney aforesaid offered his Declaration in the plea aforesaid in manner and form following to wit. Dorchester County ss. Thomas Hicks late of Dorchester County yeoman was attached to answer unto Robert Nielson of a plea of Trespass on the case &c. And whereupon the same Robert Nielson by Nicholas Hammond his Attorney complains that whereas the said Thomas Hicks on the fifth day of September in the year seventeen hundred and ninety four at the County aforesaid was indebted to the said Robert Nielson in the sum of One hundred and ninety one pounds twelve shillings and eight pence current money for divers goods wares & merchandizes there before that time sold and delivered by the said Robert Nielson to the said Thomas Hicks at his special instance and request; and so the said being indebted the said Thomas Hicks in consideration thereof afterwards to wit, on the same day & year aforesaid, at the County aforesaid upon himself and then there faithfully promised the said Robert Nielson to pay him the said Robert Nielson the sum of money aforesaid when he the said Thomas Hicks should be thereto afterwards required: And whereas also the said Robert Nielson afterwards to wit the day and year aforesaid, at the County aforesaid have sold and delivered to the said Thomas Hicks divers other goods wares & merchandizes at his like special instance & request, the said Thomas Hicks in consideration thereof then there assumed upon himself and faithfully promised the said Robert Nielson to pay him the said Robert Nielson, as much current money for the goods wares & merchandizes last mentioned as the same at the time of the sale and delivery thereof were reasonably worth when he the said Thomas Hicks should be thereto afterwards required. And the said Robert Nielson in fact saith that the goods wares & merchandizes last mentioned at the time of the sale and delivery thereof were reasonably worth one other sum of One hundred and ninety one pounds twelve shillings and eight pence current money to wit at the County aforesaid, whereof the same Thomas Hicks then and there had notice —

Nevertheless the said Thomas Hicks his several promises and assumptions aforesaid made not in the least regarding but intending the said Robert Nielson in this behalf to deceive and defraud the several sums of money aforesaid or any part thereof to the said Robert Nielson yet hath not paid (altho' to pay the same the said Thomas Hicks afterwards to wit, the tenth day of December in the year aforesaid at the County aforesaid the said Robert Nielson was required) but the same to him to pay hath hitherto altogether refused and still doth refuse to the damage of the said