

Lordships Justices at the day and place aforesaid to show &c. as within to him it was commanded, and the aforesaid John Newbold so forewarned and at the same day being solemnly called Cometh not but makes default &c. —

Whereupon the said John Scarbrough in his own proper person prays that upon giving Security according to act of assembly in such case provided that the aforesaid Twenty Six Bushells of Indian Corn so as aforesaid attached as of the Rights and Credits of the said Samuel Waterhouse may be condemned in the hands of the said John Newbold towards Satisfying unto him his damages and all Costs and Charges arising by means of the same attachment.

Thereupon a certain James Shirley of Somerset County Gent. present here in Court undertakes for said John Scarbrough according to act of assembly that if in case the said Samuel Waterhouse do at any time within a year and a day appear and make all, or any part of the said John Scarbroughs Claim against him to be Satisfied or otherwise to be undue before the Laying of the attachment aforesaid, that then he the said John Scarbrough shall make Restitution unto him the said Samuel Waterhouse of all or such part thereof as shall be so made appear to be undue as aforesaid. Or that he the said James Shirley will do it for him &c. —

Therefore it is considered by the Court here that the aforesaid Twenty Six Bushells of Indian Corn of the value of Eleven shillings and five pence and three hundred pounds of tobacco so as aforesaid attached be condemned in the hands of the said John Newbold as of the Rights and Credits of the said Samuel Waterhouse to Satisfy the said John Scarbrough his damages and Costs arising upon the writ of attachment aforesaid and that the said John Scarbrough have the same of him the said John Newbold according to act of assembly &c. —

William Wye Esq. } Command was given to the Sheriff of Somerset County that he should
Nicholas Hodgson } take Nicholas Hodgson late of Somerset County Mariner, if he
should be found in his Bailiwick and him should safe keep so
that he might have his Body before the Justices of his Lordships County Court of
Somerset to be held at Distord Crook the third Tuesday of June then next to answer
unto William Wye of a plea of Trespass upon the Case &c. and that thereof he should
not fail &c. — At which said Third Tuesday of June to wit the Nineteenth day
of the said Month Anno Domini one thousand seven hundred and thirty three
Came the said William Wye by Francis Allan his Attorney and the Sheriff of
Somerset County to whom the foregoing writ was directed Likewise comes and make
Return thereof to the Court here ^{in these words following vid.} *Endorsed Jopie Corpus ff J. Caldwell Clerk*

And thereupon his Lordship the Right honorable the Lord Proprietary his certain Writ of Habeas Corpus unto the Justices of his County Court of Somerset now here saideth which said Writ hath the in these words vid. Maryland p. Charles absolute Lord and Proprietary of the provinces of Maryland and Avalon Lord Baron of Baltimore &c. To the Justices and Sheriff of Somerset County Court greeting Whereas Nicholas Hodgson is detained in the prison of our said County under the custody of you our said Sheriff at the Suit of a certain William Wye Esq. in a plea of trespass upon the Case which said plea