

March Court ... 1736 ... 11

The same Elizabeth and Elgate still do refuse to the damage of the same John forty pounds & therefore he brings
suit &c. — And the aforesaid Elgate Hilditch and Betty his wife Esquire, as aforesaid in their proper

persons come and defend the force and injury when &c. and say that they cannot deny the action of the aforesaid
John Hardy nor but that the same Ebenezer in his lifetime did assume upon himself in manner and form as the
aforesaid John above against them hath complained, and as to the damages of the same John by him by occasion of
the premises in that part sustained the same Elgate & Betty say and acknowledge that the aforesaid John has sustained —
damages by occasion of the premises beyond his costs and charges by him about his suit in that part apposed to twenty
pounds and five pence current money of Maryland and not more and because the aforesaid John denyth not
but believes the same allegation to be true pray Judgment and those damages above acknowledged together
with his costs and charges aforesaid to him to be adjudged &c. —

Therefore by consent of the parties aforesaid it is considered that the aforesaid John Hardy recover against
the aforesaid Elgate Hilditch and Betty his wife Esquire of the aforesaid Ebenezer Hardy his damages aforesaid to the aforesaid twenty
pounds and five pence current money of Maryland by the same Elgate and Betty in full aforesaid acknow-
ledged also three hundred & thirty seven — — — — — pounds of tobacco for his costs and
charges aforesaid to the same John at his request by the Court here of the aforesaid of the parties aforesaid adjudged to
be levied of the goods and Chattels which were of the aforesaid Ebenezer at the time of his death in the hands of the aforesaid
Elgate and Betty being to be administered in so much thereof in their hands they have to be administered, and
if they have not than the costs aforesaid to be levied of the proper goods and Chattels of the same Elgate & Betty
and the aforesaid defendts in mercy &c. —

Rt Hon James Rownd	1735	John Cutler to James Rownd D.L. ind	1736	ff Contra	£ 10 1nd
John Cutler	1736	To sundry in an ac ^t due to	10 6 2 1/2	By Cash	10
		To Tobacco	40	- Bal due is	10 5 1/2
		To yr Levy in 1736		To who by yr Levy of Contra	10 6 2 1/2

Whereas James Rownd hath made oath on the holy evangelist of almighty God that the above
Account is just and true and that he hath Received neither part or parcel of the same or any
Caution or Security for the same more than what he hath given for and hath made oath
that the said Cutler is gone away surely to deceive and defraud his Creditors
These are therefore in his Lordships name to Command you to issue out attachment
against the said John Cutler and this shall be your Warrant given under my hand this 6th
day of November 1736 —
To M^r. Thomas Hayward Clarke Somerset County
Cursuant to an act of assembly in this province now in force and in obedience to the above said warrant