

1761 Robert Heron Esq. Command was given unto the sheriff of Somerset County that he should take Benjamin Warrington late of Somerset County House Carpenter if he should be found in his bailiwick and him should safe keep so that he might have his body before the Justices of this Lordships County Court of Somerset to be held at princeps Ann Town the third tuesday of March Anno Domini one thousand seven hundred and sixty one to answer unto Robert Heron Esq. of a plea of trespass upon the case &c. and the same day is given to the said Robert Heron Esq.

At which Day here came the said <sup>Robert</sup> William Hayward his Attorney and the sheriff to wit John Dennis now has returned that he had taken the said Benjamin Warrington whose body here at this day he had ready to answer the said Robert Heron of the said plea as to him it was commanded. Thereupon the said Benjamin Warrington at the prayer of the said Robert Heron is adjudged to give special Bail to the action of trespass. Whereupon a certain William Bennett presents here in Court in his proper person undertook for the said Benjamin Warrington and assumed upon himself that if it should happen that Judgements in the plea of trespass should be rendered for the said Robert Heron against the said Benjamin Warrington or that the said Benjamin should be therein convicted that then he should pay and satisfy unto the said Robert Heron the Judgements of the Court hereupon or render his body in Execution of such Judgements to the prison of the sheriff of Somerset County in satisfaction thereof or that he the said William Bennett will do the same for him. And hereupon the said Benjamin Warrington puts in his place William Allen Gent. attorney at law against the said Robert Heron of the said plea.

And hereupon at the prayer of the parties a Day is to them now here given untill next Court Court to be held at princeps Ann Town the third tuesday of June then next following in the state that now saving to the parties a Day is to them now here given untill next Court Court

At which day here came the parties by their Attorneys a Day is to them now here given untill next Court Court Robert Heron complained against the said Benjamin Warrington in the plea of trespass in form following Somerset vs Benjamin Warrington late of Somerset County House Carpenter was adjudged to answer unto Robert Heron Esq. of a plea of trespass upon the case and so forth. And whereupon the same Robert by William Hayward his Attorney complains that whereas the said Benjamin on the fourteenth day of April in the Year of our Lord one thousand seven hundred and sixty at Somerset County aforesaid made his certain note in writing commonly called a promissory Note with his proper Hand thereto subscribed bearing date the same day and Year aforesaid which said Note the said Benjamin to the said Robert Heron and there did deliver and by the same Note promised to pay to the said Robert on Demand the sum of twenty one pounds current Money of Maryland by reason whereof as also by Force of the Statute in such case made and provided the said Benjamin became liable to pay to the said Robert the said sum of twenty and one pound current Money aforesaid in the said Note mentioned according to the Tenor and effect of the said Note and being so liable the said Benjamin in consideration thereof afterwards to wit the same day and Year aforesaid at the County aforesaid undertook and then and there faithfully promised that he the said Benjamin the sum of Money aforesaid in the Note aforesaid mentioned unto the said Robert would well and truly pay according to the Tenor and effect of the said Note. Nevertheless the said Benjamin his promise and undertaking aforesaid in form aforesaid made little regard to but minding and fraudulently Intending the said Robert in this particular craftily and subtilly to deceive and defraud the sum of Money aforesaid unto the said Robert hath not paid or him for the same in any sort contented with the same to do the same Benjamin afterwards to wit the same day and Year aforesaid and often since at the County aforesaid by the said Robert was required but the same to him to pay hitherto altogether hath refused and still continues and unjustly deny Whereupon the said Robert says he is wrong and hath damage to the Value of fifty pounds current Money of Maryland and thereof he brings suit and so forth. pledged to the said Robert

And the said Benjamin Warrington by his Attorney aforesaid comes and defends the force and Injury whereof and prays

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