

And the aforesaid John Magan in his own proper person being present herein Court, is adjudged to give special bail to the action aforesaid, Thereupon aforesaid Hutton Hill of Somerset County planter present herein Court undertakes for the aforesaid John Magan that if in case the said Moses (Charles) shall recover Judgment in the plea aforesaid, against the said John Magan, or that the said John Magan shall be therein found, that then he the said John Magan shall pay the Condemnation of the Court thereupon or render his body to the custody of the Sheriff of Somerset County in satisfaction thereof that he the said Hutton Hill will do it for him.

Whereupon the said John Magan in his own proper person comes and defends the force and injury when &c. and says that he cannot gainsay the action aforesaid of the aforesaid Moses, nor but that he did assume upon himself in manner and form, as the aforesaid Moses above against him hath complained, and as to the damage of the same Moses by him by reason of the premises in that part sustained, the same John says and confesseth that the aforesaid Moses sustained damages by reason of the premises beside his costs and charges by him about his suit in that part expended to four pounds eighteen shillings and three pence current money, and because the aforesaid Moses this not deny, but the same allegation confesseth to be true, prays Judgment and his damages above confessed together with his costs and charges aforesaid to him adjudged &c.

Therefore by consent of the Bar, and it is considered that the aforesaid Moses Charles recover against the aforesaid John Magan his damages aforesaid to the said four pounds eighteen shillings and three pence current money by the same John Magan in form aforesaid made confessed as also two hundred and fifty one pounds off tobacco for his costs and charges aforesaid to the same Moses at his Request by the Court here by consent of the Bar, aforesaid adjudged which same damages in the whole do amount to four pounds eighteen shillings and three pence current money and two hundred and fifty one pounds off tobacco with day of Execution be the tenth day of November next and the aforesaid debt in Money &c.

By James Shirley.

This being an action of debt for four pounds ten shillings where the Sheriff of Somerset County to whom the writ in the same action was directed comes and makes Return thereof to the Court here endorsed vizt. *Exi legimus p^{re} dictum Curiam fieri*

Whereupon the said John Magan being called appears and thereupon the said John Magan of the prayer of the aforesaid James Shirley by Leonie Gale his attorney and is adjudged to give special bail to the action aforesaid. Thereupon aforesaid Francis Porter of Somerset County planter present herein Court undertakes for the said John Magan that if in case the said James Shirley shall recover Judgment in the plea aforesaid against the said John Magan or that the said John Magan shall be therein found that then he the said John Magan shall pay the Condemnation of the Court thereupon or render his body to the custody of the Sheriff of Somerset County in satisfaction thereof or that he the said Francis Porter will do it for him, thereupon the said John Magan in his own proper person appears and surrenders the next Court &c.

By John Henderson scd.

James Seilett - - - - - } memorand^m the plea by Leonie Gale his attorney sued out his Lordship's writ of
 } surety against the debt which follows in the words vizt.
 } Somerset's Charles absolute Lord and Proprietary of the province of Maryland and