

March Court. — 1729 — — 244 —
 by his attly. and e. of Somerset County to whom the foregoing Writt was direc-
 ted Likewise someth. make the return thereof to y^e Court here Endorsed vizt.
 Exi Corpus declaration delivered in time of W. Burnell Jst Clerk

Whereupon the said Alexander M^{rs} in his own proper person appears and thereupon the said Alex-
 M^{rs} at the prayer of the said Joseph M^{rs} by his attorney is adjudged to give speciall bail
 to the action and, but for want thereof the said Alex. is committed into the custody of the Sher. of Somerset
 County there to remain. Whereupon the said Sher. to wit John Burnell by John Dennis Jst his under-
 Sher. took charge of the said Alexander accordingly &c.

And afterwards the said Alexander M^{rs} in custody as aforesaid here in Court in
 his proper person comes and defends the force and injury when he said that he cannot gain say the
 action of the said Joseph nor but that he did assume upon himselfe in manner and form as the said Joseph
 above against him hath complained and as to the damage of the said Joseph by oustion of the premises in
 that part sustained the said Alexander says and confesseth that the said Joseph hath sustained damage by
 oustion of the premises beyond his costs and charges by him about his suit in that part appeared to
 forty pounds Curr^t money and not more and because the said Joseph deny^s not this but the same
 allegation confesseth to be true prays Judgmt. and these damages above confessed together with his costs
 and charges and to him ^{to be} adjudged. Therefore by consent of the parties it is considered that the said
 Joseph M^{rs} recover against the said Alexander M^{rs} in custody as aforesaid his damages and to forty pounds
 Curr^t money by the said Alexander in firm and confessed as also three hundred and sixty nine pounds of
 tobacco for his costs and charges agreed to the said Joseph at his request by the Court here ~~adjudged~~ and by
 consent of the parties is adjudged which certain damages in the whole do amount to forty pounds Curr^t-
 money and three hundred and sixty nine pounds of tobacco and the said Joseph in mercy &c.

Whereupon the said Alexander M^{rs} at the prayer of the said Joseph M^{rs} by his attorney is
 committed into the custody of the Sher. of Somerset County there to remain until the said Joseph of
 his damages is should be fully satisfied whereupon the said Sher. to wit John Burnell by
 John Dennis Jst his under Sher. being present ^{hereby} took charge of the said Alexander accordingly &c.

By James Dickerson Jst Clerk

pro John Dennis Jst bail
 of Robert Gibbs

Memorandum the 28th by John Gale his attorney sued out his
 his Lordship's writt of Habeas Corpus against the defendant the tenor -
 whereof followeth in these words vizt -

Somerset h. Charles absolute Lord and Proprietary of the provinces of Maryland and Avalon
 Lord Baron of Baltimore To the Sher. of Somerset County greeting Whereas a certain John
 Dennis Jst late of Somerset County Gent. lately in our County Court of Somerset here to wit, the seven-
 teenth day of June and Mond. One thousand seven hundred and twenty nine before Samuel Hopkins
 Gent. and his associates then our Justices at Dividing Creek in our County and assumed upon himselfe
 and did undertake for a certain Robert Gibbs late of Somerset County Mariner that in case a certain
 James Dickerson should recover Judgmt. against the said Robert Gibbs in a certain case of trespass
 upon the Case by the same James against the said Robert in our same Court provented or that if
 same Robert should be therein convicted that then the said Robert at the damages which to the same
 James