

June Court. 1731. . . . 94

Shall make restitution unto him the said Robert alkins of all or such part thereof as shall be so made appear to be due &c. or that he the said Lewis Gale will do it for him &c. —

Therefore it is considered that the said two horses of the value of fifteen hundred pounds of tobacco so as aforesaid may be condemned as of the Rights and Credits of the said Robert alkins towards satisfying unto the said James Shirley of the said sum of fourteen hundred pounds of tobacco and one pound three Shillings and six pence Curr. money or also all best answering upon the writ of attachment afo and that he have the cost of Execution according to act of assembly &c. —

At L^d. John Dennis D^{nt}
W^o. John Magan —

This being an action of trespass upon the Case &c. wherein the Sh^o. of Somerset County to whom the writ in the same action was directed comes and makes Return thereof to the Court here endorsed viz. Legi Corpus pro John Dennis Sh^o. —

Wherupon the said John Magan being called appears and wherupon the said John Magan at the prayer of John Dennis D^{nt}. by Lewis Gale & Francis Allen his attorneys, is adjudged to give Special bail to the action afo.

Wherupon a certain Justice King of Somerset County hath presented in Court in his proper person undertakes for the said John Magan that if in Case the said John Dennis D^{nt}. should recover Judgment against the said John Magan in the plea aforesaid or that the said John Magan should be taken in Execution &c. then he the said John Magan shall pay the Execution of the said Court wherupon or render his body to the custody of the Sh^o. of Somerset County in this fashion thereof or that he the said Justice King will do the same for him, wherupon the said John Magan by William Berkingham his attorney appears & is sworn like next Court &c. —

At L^d. John Murray

Command was Given to the Sh^o. of Somerset County that he should take the

Thomas Euckmarsh & Company
They shall be found in his Bailwick and thence should satisfy so that he might have the body before the Justice of his Lordship's County Court of Somerset to be held at Dwidrig Great the third Wednesday of June then next to answer unto John Murray of plea of trespass upon the Case &c. and that the said Thomas should not fail &c. —

And the said John Murray by Lewis Gale his attorney complains against the said Thomas Euckmarsh & Company in the plea afo as follows viz.

Somerset &c. Thomas Euckmarsh and Company Late of Somerset County Merchants were attached to answer unto John Murray of plea of trespass upon the Case &c. —
And wherupon the said John Murray by Lewis Gale his attorney complains that whereas the said Thomas Euckmarsh the tenth day of May ann^o. Domini on the said and seven hundred and twenty nine at Somerset County within the Jur^{is}. of this Court was indebted unto the said John Murray in the sum of twenty one pounds Eight Shillings Current money as of account here unto annexed and into Court brought appears and so being being indebted the said Thomas in consideration thereof afterwards to wit the same day and year afo at the County afo and within the said County upon himself assumed and to the said John Murray and there faithfully did promise that when afterwards he should be thereto requested he the said sum of twenty one pounds and Eight Shillings to the said John would well and truly Content and pay Nevertheless the said Thomas his promise and assumption afo in some afo made Little Regarding but Stalling and fraudulently intending him the same John in that Part Craftily and Subtly to deceive the said Thomas the said sum of twenty one pounds and Eight Shillings (102)