

aforsaid and prays that the sd John Rogers to his declaration of may answer but the same John altho at the same day being solemnly called Cometh not nor says nothing in bar or prevention of the action of the sd Wria- ham by which the said Wria ham leuicith against the sd John Rogers in indefeasible - for which cause the same Wria ham his Damages by omission of the Non performance of the promise and assumption of against the sd John ought to recover but because it is not known what Damages the sd Wria ham has sustained by omission of the non performance of the promise and assumption of therefore the Sheriff is Comanded that by the Oath of - Honest and Lawfull men of his bailiwick he diligently Inquire what Damages the sd Wria ham hath sustained as well by omission of the Non performance of the promise and assumption of as for his Costs and Charges by him about his suit in that part apposed and the Inquisition which there upon he should take, he send to the Justice of his Lordships County Court of Somerset to be held at Dividing Beach, the third Tuesday of March next under his seal and the seals of those by whose Oath he should take the same Inquisition together with the writ therof to him directed and the same day is given to the said Wria ham this 17th

Duncan Murray ... } Somerset J. Richard Ellison late of Somerset County
Richard Ellison et alia } Taylor and Elizabeth his wife late Elizabeth Wilcox Administratrix of all the
admt Geo: Wilcox ---- } singular the goods and Chattels rights and Credits which were of George Wilcox
late of Somerset County Esq: Jurisdiction dec. was attached to answer unto Duncan
Murray of a plea of trespass upon the Case

And Whereupon the said Duncan by Geo Douglas his attorney complains that whereas the said George Wilcox in his life time to witt on the first day of January Anno Domini seventeen hundred and thirty three at Somerset County afo within the Jurisdiction of this Court was Indebted to the said Duncan in the sum of thirty five pounds fourteen shillings and nine pence Court money of Maryland for sundry goods and Merchandise by the said Duncan to the said George in his life at the special request and of the said George before that time sold and delivered and sundry other matters and things properly belonging in amount as by an and hereto annexed may appear and so being there of indebted in consideration thereof afterwards to witt the day and year aforesaid at the County afo upon himselfe did assume and to the said Duncan then and there faithfully promise that he the said George Wilcox the said thirty five pounds fourteen shillings and nine pence Court money when he should be afterwards thereof required he would faithfully pay and content and altho the said George in his Life time did pay to the said Duncan twenty four pounds seven shillings and seven pence part of the said thirty five pounds fourteen shillings and nine pence Court money Nevertheless as to Eleven pounds seven shillings and two pence Court money afo residue of the said thirty five pounds fourteen shillings and nine pence the said George in his Life time his promise and assumption of in form of made nothing regarding but winding and fraudulent by intending