

March Court - - - - - 1737 - - - - - 227

Duncan Murray of a plea of trespass upon the Case &c. At which day here before his Lordships Justices at a Court then held at dividing Creek by the ass. Duncan Murray by George Douglas his attorney and the ass. sherriffe to with Joseph Allen Gent. now here returned that he had taken the ass. John Baker whose body hereat this day he had ready to answer the ass. Duncan Murray of the ass. plea as to him it was commanded. Whereupon came here into Court Arthur Warwick Esq. of Somerset County planter in his proper person and undertook for the same John Baker and affirmed upon himself (like the same John Baker present herein Court in his proper person affirmed upon himself) that if it should happen that Judgment in the plea ass. should be rendered for the same Duncan Murray against him the said John Baker or that the said John should be known convicted that then he the said John should pay and satisfy unto the same Duncan the Judgment of the Court thereupon or tender his body in Execution of such Judgment to the prison of the sherriffe of the County ass. in satisfaction thereof or that he the same Arthur Warwick will do the same for him.

And hereupon the said John Baker puts in his plea Francis Allen Gent. attorney at Law against the ass. Duncan Murray in the plea ass. Whereupon at the request of the parties a day is given to the parties ass. here before his Lordships Justices at the next Court to be held at dividing Creek in the same County the third Tuesday of June ~~1737~~ ~~1738~~ one thousand seven hundred and thirty seven to be in the same State as at present saving to the parties &c.

At which day here came again as well the ass. Duncan Murray as the ass. John Baker by their attorneys ass. And hereupon the said Duncan declared against the ass. John the plea aforesaid in form following - Somersel s. John Baker Esq. of Somerset County planter was attached to answer unto Duncan Murray of a plea of trespass upon the Case &c. And Whereupon the said Duncan by George Douglas his attorney complains wherefore whereas the said John Baker after the first day of May Anno Domini MDCCCLXIX to with on the thirtieth day of September Anno Domini MDCCXXXV at the County ass. at the County ass. did make his certain note in writing called a promissory note with his proper hand subscribed bearing date the day and year last mentioned and the ass. note to the said Duncan Murray then and there did deliver by which note the said John did promise to pay to the said Duncan Murray or his order the sum of nine pounds nineteen shillings and ten pence Great money of Maryland on or before the first day