

August Court 1742 319.

That the said Owen Day do not make his personall appearance before the Justices of his Lordships County Court of Somerset to be held at Dividing Creek the third Tuesday of November then next following, and do not answer unto his said Lordship of and concerning all such matters and things as shall be then and there objected against him on his said Lordships behalf, and doe not stand and abide the Judgment of the Court thereon, and do depart the same Court without leave, and in the mean time if he keep not the peace, and be not of the good behaviour toward his said Lordship, and all his good people &c. Hon. &c.

His Lordship. Cap^y Handy You are to receive into your Custody David Day for want of Security for his appearance
David Day. To August Court to give Evidence against Owen Day on behalf of his Lordship given under my hand
Isaac Handy.
This 13th of August 1742

And now to wit this Seventeenth day of August anno. Dom. One thousand Seven hundred and forty two at a Court then held at Dividing Creek before his Lordships Justices came the aforesaid David Day in his proper person in Custody of the Sheriff of the County of Somerset in whose Custody before that time for the cause aforesaid was committed and being by the said Sheriff set to the Bar. is thereupon Instantly Ordered to give Security for his appearance at next Court to be held at Dividing Creek in and for the County aforesaid the third Tuesday of November then next following to give Evidence against aforesaid Owen Day on Suspicion of felony &c. But for want thereof the said David Day is committed into the Custody of the Sheriff of the County aforesaid thereto Committed.

Afterwards in the same Court came aforesaid George Mackenzie of Somerset County planter in his proper person and undertook for the said David Day and acknowledged himself to be indebted unto his Lordships the Right Hon^{ble} the Lord proprietary of the province of Maryland in ten pounds Current money of said province of his body goods or Chattels Lands or Tenements to be made and Levied to the Use of his said Lordship his heirs and assigns If it happen that the said David Day do not make his personall appearance before the Justices of his Lordships County Court of Somerset to be held at Dividing Creek the third Tuesday of November then next following and do not then and there give such Evidence as he the said David knoweth against the aforesaid Owen on Suspicion of felony and doe not depart the same Court without Leave &c.

The Same - And now to wit this eighteenth day of August anno. Dom. One thousand Seven hundred and forty two before his Lordships Justices came aforesaid Robert Hutchinson hereinto Court in his proper person who is thereupon Ordered to give Security for his appearance at the next Court to be held at Dividing Creek in and for the County aforesaid the third Tuesday of November then next following to give Evidence on behalf of his Lordship against aforesaid Owen Day on Suspicion of felony &c.
Whereupon aforesaid Aaron Syam of Somerset County Gent present therein for his Lordship person undertook