

Thursday of November Anno Domini one thousand seven hundred and thirty nine to Answer unto Duncan Murray of a plea of the paper upon the Law &c. and the same day is given to the said Duncan here &c.

All which day here came the said Duncan Murray by George Douglas his Attorney and the sheriffs to wit John Fleming Gent: now here returned that he had taken the said Abraham Smith who's body hereat this day he had ready to Answer the said Duncan of the said plea as to him it was Comanded &c.

Whereupon the said Abraham Smith puts in his place Francis Allen Gent: Attorney at Law against the said Duncan Murray of the said plea &c.

And Thereupon at the Request of the parties said day is to them now here given untill next Court to be held at dividing Creek the third Tuesday of March then next following in the same state as at present saving to the parties said

All which day here came agains the parties said by their Attorneys said and hereupon the said Duncan Murray declared against the said Abraham Smith in the plea said in form following.

Somerset County sh: Abraham Smith Sats of Somerset County planter was attached to Answer unto Duncan Murray of a plea of the paper upon the Law &c.

And Whereupon the said Duncan by Geo. Douglas his attorney Complain that whereas the said Abraham with the first day of may Anno Domini MDCCCV to wit on the XXV day of September Anno Domini MDCCXXXV at the County said did make his certain note in writing called a promissary note with the proper hand of the said Abraham subscribed and the said note to the said Duncan then and there did deliver by which note the said Abraham did promise to pay to the said Duncan or his Order as well the sum of twelve pounds thirteen Shillings and six pence in County pay as the Law of One Action upon the Law in the County Court of Somerset by the said Duncan against the said Abraham before that time prosecuted (which Law the said Duncan Avord doe amount to the quantity of two hundred and Seventy nine pounds of tobacco) at or before the first day of January then next ensuing the date of that note by means whereof and by force of the statute in that case lately made and provided the said Abraham became Chargeable to pay the contents of the said note according to the tenor thereof and so being thereof Chargeable afterwards to wit the day and year last said of the County said on Consideration thereof he the said Abraham upon himself did assume and promise to pay the said money and tobacco in the said note mentioned to the said Duncan according to the tenor of that note and whereas the said Abraham afterwards to wit on the seventeenth day of June Anno Domini MDCCXXXV at the County said had prosecuted the said Abraham before his Lordships the right Honourable the Lord proprietors & Justices the peace for Somerset County County said to keep a signed in the County Court of Somerset of