said Att.y prays further leave to imparle hereunto untill next Court & he hath it & the same Day is given to the Plff. also.

At which said next Court to wit the 20th Day of May Anno Domi 1740 Come again the said parties Plff. & Deft. by their Att.ys af.s & the said Deft. by his said Att.y prays further leave to imparle hereunto untill next Court & he hath it & the same Day is given to the Plff. also.

At which said next Court to wit the 21. Day of October Anno Domi 1740 Comes again the said parties Plff. & Deft. by their Att.ys af.s & the said Deft. by his said Att.y prays further leave to imparle hereunto untill next Court & he hath it & the same Day is given to the Plff. also.

At which said next Court to wit the 14th Day of April Anno Domi 1741 Comes again as well the said John Cochey Ex.r of the said Th. Cochey by his Att.y af.s as the said Robert Gordon by William Cumming his Att.y af.s & the said Robert Gordon by his said Att.y as before defends the force & Injury when &c. & saith that he did not assume upon himself in manner & form as the Plff. above against him hath complained & of this he puts himself upon the Country. & the Plff. also.

And thereupon the Attorney for the said John Cochey Ex.r as af.s offers himself ready for tryall. But for that it seems to the Court here that the Petit Jurors are discharged & that no other Jurors are regularly returned agreeable to the Act of Assembly & for which reason the Attorney for the Deft. in this Cause Objects to Tryall and also for that it Appears to the Court here that the said Cause can continue no longer by virtue of the Act of Assembly for Continuance of Actions than this Court.

It is therefore Considered by the Justices here that the said John Cochey Ex.r as af.s take nothing by his Bill af.s & that the said Robert Gordon go thereof without Day &c.

Dd John Cochey Ex.r of Thomas Cochey late of Anne Arundell County f.s. John Cochey Ex.r of the Testament & last Will of Thomas Cochey dec.d complains by Dan. Dulany his Attorney against Robert Gordon Esq.r One of the Justices of the Right Hon.ble the Lord Baron of this Honorable Court present here in Court on his proper Person that whereas the said Robert Gordon after the first Day of May Seventeen hundred & five to wit the twenty Seventh Day of October Seventeen hundred & thirty in Anne Arundell County af.s made a certain Promissary Note or bill subscribed with his own hand Writing & then & there by the same note or Bill the said Robert Gordon promised to pay to the same Thomas Cochey or his Order Thirty five pounds ten Shillings Curr.t money of Maryland on demand & by reason thereof & by force of the Statute in such Cases made & provided the same Robert Gordon became Chargeable with the payment of the said thirty five pounds ten Shillings Current Money to the said Thomas Cochey according to the Tenor & Effect of the same Note or bill so subscribed by the said Rob.t Gordon as af.s And he the said Robert Gordon being so Chargeable in Consideration thereof afterwards (viz.t) the same Day & year last mentioned in Anne Arundell County af.s Assumed upon himself & then & there promised the said Thomas Cochey in his lifetime that he the said Robert Gordon the said thirty five pounds ten Shillings Curr.t Money to the said Th. Cochey

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in the same Note or bill mentioned would well & truly content & pay Nevertheless the said Robert Gordon his promise & Assumption af.s not regarding but him the said Thomas Cochey in his lifetime & the said John Cochey after the Death of the said Th.s in this part fraudully & subtilly to deceive & defraud intending the said thirty five pounds ten Shillings Current Money to the said Thomas in his lifetime or to the said John after the Death of the said Thomas in the said Note or Bill mentioned or any part thereof hath not paid or in any sort contented altho so to do the said Robert Gordon hath been requested Tri: on the first Day of September in the Year Seventeen hundred & thirty in Anne Arundell County af.s & afterwards afterwards by the said Thomas in his lifetime & by the said John after the death of the said Thomas but the said Robert the said thirty five pounds ten Shillings Currency to the said Thomas in his lifetime & to the said John after the death of the said Thomas Cochey to pay or Satisfye hath refused & still refuses to pay the same to the said John to the damage of the said John Sixty pounds Currency & therefore he prays remedy &c. And the said John brings here into Court the Letters Testamentary af.s which Testifys the said John to be Executor of the said Testament & last Will of the said Thomas & Administration to be Committed to him &c. Pl. Hodges & John Doe & R.d Roe

And the said Robert Gordon by William Cumming his Att.y comes & defends the force & Injury when &c. & prays leave to imparle hereunto untill next Court & he hath it & the same Day is given to the Plff. also.

At which said next Court to wit the 16th Day of October Anno Domi 1739 Come again the said parties Plff. & Deft. by their Att.ys af.s & the said Deft. by his said Att.y prays further leave to imparle hereunto untill next Court & he hath it & the same Day is given to the Plff. also.

At which said next Court to wit the 20th Day of May Anno Domi 1740 Come again the said parties Plff. & Deft. by their Att.ys af.s & the said Deft. by his said Att.y prays further leave to imparle hereunto untill next Court & he hath it & the same Day is given to the Plff. also.

At which said next Court to wit the 21. Day of October Anno Domi 1740 Come again the said parties Plff. & Deft. by their Att.ys af.s & the said Deft. by his said Att.y prays further leave to imparle hereunto untill next Court & he hath it & the same Day is given to the Plff. also.

At which said next Court to wit the 14th Day of April Anno Domi 1741 Comes again as well the said John Cochey Ex.r of the said Thomas Cochey by his Att.y af.s as the said Robert Gordon by his Att.y af.s & the said Robert Gordon by his said Att.y as before defends the force & Injury when &c. & saith that he did not assume upon himself in manner & form as the Plff. above against him hath complained & of this he puts himself upon the Country. & the Plff. also.

And thereupon the Att.y for the said John Cochey Ex.r as af.s offers himself ready for tryall. But for that it seems to the Court here that the Petit Jurors are discharged & that no other Jurors are regularly returned agreeable to the Act of Assembly & for which reason the Att.y for the Deft. in this Cause Objects to Tryall, also for that it Appears to the Court here that the said Cause can continue no longer by virtue of the Act of Assembly for Continuance of Actions than this Court.

It is therefore Considered by the Justices here that the said John Cochey Ex.r as af.s take nothing by his bill af.s & that the said Robert Gordon go thereof without Day &c.

Dd Alexander Black ..... Maryland f.s. Josephus Murray Junr. late of Baltimore
Att.y af.s County otherwise called Josephus Murray of Baltimore
Wd Josephus Murray Junr. County Junr. was Summoned to answer unto Mr.

(Alexander)