day of May in the year of our Lord one thousand seven hundred and ninety eight, with Costs of Suit, And the Defendants in Error agree to stay Execution untill the first day of August next.

Test. Jno. Gwinn Clk.

William Jessop against Luther Martin.

Be it remembered, that on the second tuesday of May being the ninth day of the same month, in the year of our Lord One thousand seven hundred and ninety seven William Jessop by Robert Smith his Attorney comes into the General Court here and exhibits to the Court here his certain Bill against Luther Martin one of the Attornies of the said Court, present in Court here in his proper person of a plea of Trespass on the case, a Copy whereof is in form following to wit.

The State of Maryland, Baltimore County ss William Jessop by Robert Smith his Attorney complains of Luther Martin Esquire one of the Attornies of the General Court for the Western Shore of the State of Maryland present here in Court in his proper person for that whereas the said Luther Martin after the first day of May in the year seventeen hundred and five, to wit, on the Twenty fifth day of November in the year seventeen hundred and ninety five at the County aforesaid, did make his certain note in Writing, commonly called a promissory Note; bearing date the same day and year last mentioned, with his proper name and hand thereto subscribed; and the same note to the said William Jessop then and there did deliver, and by the same note, then and there did promise to pay unto the said William Jessop or order Three hundred and ninety five Dollars and fifty Cents for value received, according to the tenor and effect of the same note; by reason whereof, and also by force of the Statute in such cases made and provided, the same Luther Martin became liable to pay unto the said William Jessop the said sum of Three hundred & ninety five Dollars & fifty Cents according to the tenor and effect of the same note; and being so liable the said Luther Martin in consideration thereof, then and there undertook and promised the said William Jessop to pay him the said sum of Three hundred & ninety five Dollars and fifty Cents according to the tenor and effect of the same note

And the said William doth aver that the said sum of Three (hundred)

hundred and ninety Dollars & fifty Cents at the time of making the said note was and ever since hath been and still is of the value of One hundred & forty eight pounds six shillings & three pence current money of Maryland to wit at Baltimore County af.d Nevertheless the said Luther Martin not regarding his promise and assumption aforesaid; but intending to defraud the same William Jessop in this behalf hath not yet paid the said sum of money, or any part thereof, to the said William (although so to do the said Luther Martin on the day and year aforesaid and often afterwards at the County aforesaid was requested by the said William) but hitherto hath refused, and still doth refuse to pay him the same, to the Damage of the said William Five hundred pounds current money of Maryland, and thereupon he brings suit and so forth.

R. Smith for the Plff. Pledges for prosecuting, Jno Doe, & Richd Roe.

And the said Luther Martin in his proper person appears in Court here to the Bill aforesaid, And thereupon on motion of the said William Jessop by his Attorney aforesaid It is ruled by the Court here, that the said Luther Martin Answer to the Bill aforesaid of the said William Jessop in the plea aforesaid; or Judgment by the Court here will be given and entered against him in default hereof; And the said Luther Martin in his proper person defends the force and injury when and so forth, and prays leave of the Court here to imparle until the second tuesday of October next, and then to answer to the Bill afresaid of the said William Jessop in the plea aforesaid; and to him it is granted, the same day is given to the said William Jessop also

At which said second tuesday of October, being the Tenth day of the same month in the year of our Lord One thousand seven hundred and ninety seven, to which said day the said Luther Martin had leave to imparle and then to Answer, come again into the General Court here, as well the said William Jessop by his Attorney aforesaid, as the said Luther Martin in his proper person; and the said Luther Martin in his proper person (as before) defends the force and injury when and so forth, and saith that he did not assume upon himself in manner and form as the said William Jessop above against him hath complained, and of this he puts himself upon the Country And the said William Jessop in like manner and so forth; Therefore let a Jury thereon appear before the Court here, on the second tuesday of May next; by whom and so forth, and who neither and so forth, to recognize and so forth, because as well and so (forth,)