

March Court 1717

Jurisdiction of this Court by his certain Bill obligatory which he the said  
 Debt. sealed with his Seal and as his deed delivered hereinto Court brought  
 the date whereof is the same day and year as bound himselfe his heirs  
 &c. to pay or cause to be paid unto the said pt the said sume of five  
 hundred and fifty p<sup>cs</sup> of good Merch. able Tob<sup>o</sup> of the said price and value  
 of five pounds Ster<sup>l</sup> money at or upon all demands after the date of  
 the said Bill obligatory yet the said Debt altho' often required the  
 said sume of five hundred and fifty pounds of Tob<sup>o</sup> to the said pt  
 hath not paid or cause to be paid but that he hath to render or pay hath  
 hitherto denied and still doth deny and unjustly detain los<sup>s</sup> damage  
 of him the said pt. Four pounds Sterling money and thereupon  
 he brings Sute be *Wm. M<sup>r</sup> & Co* vs *the Debt & R<sup>o</sup> & Co*  
 and the said Debt being called came and the said pt by his atty  
 praye that the said Debt may give special baile to the said ption which  
 was granted. After which Charles Hynson and Samuel Gooding both  
 of this County comes in Court and each acknowledge themselves Joyntly and  
 severally as special baile in the said ption (that is to say they and either of  
 them do undertake for the said Debt the payment of the Debt and  
 Cost thereon accruing if in case the said pt. shall obtaine Judgment  
 in the said ption of Debt and the said Debt the Condemnation shall  
 not satisfy nor himselfe to the Custody of the Sher<sup>iff</sup> of said County deliver  
 or that the said Charles Hynson and Samuel Gooding or either of them  
 the body of the said Michael shall not render &c.

After which the said Debt in his proper person appears to the above  
 ption and saith that he cannot garnisay the ption of him the said  
 pt. nor but that the writing obligatory above mentioned is his act &  
 deed and is willing that Judgment should be entered for the same and  
 Cost thereon accruing = Therefore it is Considered by the Court here  
 viz. this Twentieth day of March Annoq<sup>ue</sup> Domini One Thousand Seven  
 hundred and Seventeen that the said pt. James Cuckshank do recover  
 against the said Debt Michael Byrne as well the said sume of five  
 hundred and fifty pounds of Tob<sup>o</sup> Debt as also the sume of three hundred  
 and seven pounds of Tob<sup>o</sup> Cost by the said pt. about his Sute in this behal<sup>f</sup>  
 expended and by the Court here of his apent adjudged and the said Debt  
 in mercy

Mathus. Howard. J. C. writ returned Capi. J. J. Semmuth  
 and the said Debt by Thomas Boone his atty. comes and  
 Daniel Mulligan defende the force and iniquity and saving to himselfe all  
 manner of Exceptions and advantages as well to the writ  
 as to the Debt of him the said pt. and praye liberty to compare thereto and to  
 answer at next Court which is granted & same day is given & pt. also