

November Court 1718

173

tion of all and Singular the Goods and Chattells Rights & Credits which were of the said Edward at the time of his death hath been Lawfully Committed hath not paid nor caused to be paid but that to pay to the said Edward in his life time and to the said John after the death of the said Edward neither hath refused and still doth refuse by which action hath accrued unto the same John by virtue of the administration as to recover and have from the said Thomas the Sum of thirty pounds of like money as of according to the tenor and effect of the said bill obligatory Nevertheless the said Thomas altho often required the said Sum of thirty pounds as of to the said John as a debt. yet to render doth deny and unjustly detain to the damage of the said John five pounds as of and in delay of the Administration of the said John as of and thereupon he brings Suit &c. and brings here into Court the Letters of Administration which Testify &c.

Macbride & Dued Jns Indoe & Jns

and now at the said Court the said Debt being called came and the said Jt by his said atty prays that the said Debt may give Special Bail to the said action which is granted And that he be kept in safe Custody by the Sheriff of said County until he shall give Special Bail as of after which the said Debt hath rule given to plead to the said action in Twenty four hours otherwise Judgment to be rendered for want of the same but the said Debt comes in to Court and saith that he cannot gain say the action of the said Jt nor but that the writing obligatory above mentioned is his act and deed and that he oweth unto the said Jt the same above mentioned and is willing that Judgment should be entered for the above Sum of thirty pounds Current money and the Cost thereon accruing. Therefore it is Considered by the Court here by this Twenty first day of March Anno Domini one Thousand Seven hundred and Eighteen that the said John Woodall Administrator of the said Edward pleaster do recover against the said Thomas Garnett as well the said Sum of thirty pounds Current money debt as also the Sum of four hundred thirty two pounds of Cost by the said Jt about his Suit in this behalf Expended and by the Court here of his assent adjudged and the said Debt in money &c.

The said Jt by his said atty saith that the said Debt having had his tryale in the Custody of the Sheriff of said County prays that he may be Committed in Execution ordered by the Court here that the Sheriff of said County keep the said Thomas Garnett in safe Custody and there to remain under Execution until the debt and Cost he shall satisfy. After which the said Jt John Woodall Adm. as of comes into Court and Acknowledges that he hath paid of the said Debt full Satisfaction of the debt in the Judgment as of as also the Cost in the same

Sam Smith