

June Court -- 1724

197

Unjustly detain whereupon the said William Smith he is worse and hath damage to the value of eighteen pounds money and thereupon he brings Suit &c. by Allen Quend. Clerk de p. to the said Court

Whereupon the said George Lane in his own proper person appears and prays that the said William Noble may give Security for Costs in Case he shall be obtained against him in the place and which is by the Court granted. Whereupon of the said Robert Mitchea of Somerset County Esquire present here in Court undertakes for the said William Noble that in Case he shall be bound in the place and or otherwise Legally Court, that then he the said William Noble shall pay the expences of the Court and all Costs attending the same in the said George Lane and that the said Robert Mitchea will do it for him.

Whereupon the said George Lane at the prayer of the said Attorney at Law is adjudged to give Special Bail to the action and thereupon a certain John Cunniffe of Somerset County Esquire present here in Court undertakes for the said George Lane that in Case the said William Noble shall be bound in the place and against the said George Lane or that the said George Lane shall pay the expences of the Court thereupon or tender his Body to the custody of the Sheriff of Somerset County in default hereof or that he the said John Cunniffe will do it for him.

And the said George Lane in his own proper person comes & defends the force & injury where he and says that he cannot gainst the said George Lane his action and against him brought nor for his day but that the weighty obligation and is in and is due & that the debt therein mentioned is well due and unsatisfied wherefore the said Attorney at Law prays Judgment for his debt and Costs and damages sustained by occasion of the detaining the same debt to him to be adjudged for.

Therefore it is considered by the Justices here that the said William Noble has against the said George Lane the sum of Nine pounds Court money in gold or silver or Money his debt as also the sum of Two hundred & Eighty Nine pounds of to him by the Court here adjudged to him for his Costs and Damages sustained by occasion of the detaining the same debt to him to be adjudged and to be paid in Money &c.

But the same } Somerset County p. George Lane late of County parish in Somerset County  
for the same } at. ditto George Lane of the County and present above said was summoned to  
answer unto William Noble of the County of Dorset that he tender unto him ten pounds of Court money in silver or gold or in Port or Indian Coin according to act of Assembly which to him he does and unjustly detains &c.

And whereupon the said William Noble by Francis Allen his Attorney at Law says that whereas the said George Lane the sixth day of August One thousand and Seven hundred & twenty One at County parish and in Somerset County and within the Jurisdiction of this Court by his Court Bail Obligatory which the said William Noble with the seal of the said George Lane signed and brought of date whereof the same day & Year did acknowledge himself to owe and stand Justly Indebted unto the said William Noble in the sum of ten pounds to be paid in silver or gold or in port or Indian Coin according to act of Assembly at or upon the tenth day of September next in the year One thousand

(said)