

June Court 1729 . . . 188

as alledged. Therefore it is considered by the Court that the afo Robert Truman recover against the afo James Brennan Seven pounds twelve shillings and nine pence Court money his damage and also all Cost and Charges by the said Court laid out and expended by way of attachment against the goods Chattell Rights or Credits of the afo named James Brennan according to act of Assembly in such Case made and provided &c.

John Turnstall Sonerwell & John Bidell late of Somerset County merchant ad. v. John Bidell afo.

Dublin Merchant was Summons to answer unto John Turnstall of Exeter that he tender unto John Bidell sum four hundred pounds Sterling money of Great Britain which to him he owes and unjustly detains &c. And whereupon the same John Turnstall by Lewis Hale his attorney saith that

whereas the afo John Bidell the fifteenth day of March and Dowd One Thousand Seven hundred and twenty four at Somerset County within the Jurisdiction of this Court by his certain Writing Obligatory granted himself to be held and firmly bound unto the same John Turnstall in the afo sum of four hundred pounds Sterling money of Great Britain to be paid the same John Turnstall when afterward the same John Bidell should be thereto requested yet the afo John Bidell tho often thereto required the afo sum of four hundred pounds Sterling money of Great Britain, to the same John Turnstall hath not Rendered but the said John Bidell the same John Turnstall to do hath altogether denied and shall deny and unjustly detain whereby the same John Bidell says he is worse and hath damage to the value of Sixty five pounds sterl. and whereof he brings his cause and the same John Turnstall brings hereinto bind the writing Obligatory as while the debt afo in form afo doth forfifte whose date is the same day and year afo

Lewis Hale & Co. Esqrs of Exeter Rec.

Whereupon the afo John Bidell being called appear and whereupon the said John Bidell at the Prayer of the afo named John Turnstall by his attorney afo is adjudged to give special Bail to the action afo, but for want whereof the said John Bidell is committed into the custody of the Sheriff of Somerset County to remain w^t the said Sheriff to w^t John Burnall Gent present hereinfirst took charge of the said John Bidell accordingly, whereupon day is given unto the said John Bidell in custody as afo until the next Court and the same day is given to the afo Clerk here also &c.

At which said next Court to w^t the nineteenth day of November and Dowd One Thousand Seven hundred and twenty eight pone against the afo John Turnstall by his attorney afo, and thereupon further day is given to the afo John Bidell in custody as afo until the next Court and the same day is given to the afo Clerk here also

At which said next Court to w^t the eighteenth day of March and Dowd One Thousand Seven hundred and twenty eight pone again as well the afo John Turnstall by his attorney afo as the afo John Bidell in custody as afo by Francis Allen his attorney, and the afo John Bidell in custody as afo by his said attorney former and defend the force and injury where afo And pray the hearing of the writing Obligatory and it is read unto him & he also pray the hearing of the condition of the same Writing & it is read unto him in these words first. The condition of the above Obligation is such that if of a bone bound J^r Bidell his heirs ex: or assigns do for ever Indemnify above f^d J^r Turnstall of an action of a certain Patrick Macknight of the Island of Bermuda which said action is carried on by his ally Capt Robert Gordon now late of above J^r Bidell under an arrest for whose appearance of above J^r Turnstall is bound as also to answer of Debt & all charges that may therewith be provided if said Robert Gordon obtains judgment against said Bidell now if of a bone bound J^r Bidell doth pay of above J^r Turnstall clear of all Daus. Whatsoever relating to said action according to the true intent & meaning thereof & then of above Obligation to be done otherwise to remain in full force & virtue in of law which being read & heard of said J^r Bidell saith w^t