

March Court ——— 1733 ——— 174 ———
 Prider recover against the aforesd Philip Harris for his debt aforesd and his
 Damages by Ocasion of the Detaining of the Same Debt to One hundred & Seventy
 40 pounds of tobacco to the Same John for his
 aforesd by the Court here adjudged and the afo Philip in Mercy &c

Th. Cap. John Sunstall a figuree of Hugh Porter ——— } Somerset County fr: Joseph Maulester Late of Somerset County
 Gentleman otherwise called Joseph McClester of the Said County Gentle-
 man was Summoned to answer — into John Sunstall a figuree of Hugh
 W.B. Joseph Maulester ——— } Porter) according to the form of the act of assembly in such case made
 and provided of oglees that he render unto him Sixty pounds Sterling which to him
 he Oweth and Unjustly detaineth &c.

And whereupon the said John by Leon Gale his attorney saith that whereas the said Joseph the twenty-
 eth day of March aforesd. One thousand Seven hundred twenty three & thirty at Somerset County within the
 Jurisdiction of this Court by his certain Writing Obligatory which said John with the Seal of the said Jos.
 Signed here into Court brings the date whereof is the Same day and year aforesaid did acknowledge him-
 self to be bound unto the afo Hugh Porter in the afo Sixty pounds Sterling to be paid
 unto the Said Hugh when he should be there to required which said Hugh Porter
 on the thirty first day of July one thousand Seven hundred and thirty one at
 Somerset County afo within the Jur: of this Court did assign unto the aforesd John
 Sunstall all his right title and Interest to the Said Obligation the Condition of the
 Said Obligation then Remaining unperformed of which said assignment the
 Said Joseph McClester on the tenth day of August and year Last mentioned at
 Somerset County aforesd within the afo Jur: by the hands of the aforesd John
 had notice by reason whereof as also by force and Vertue of an act of Assembly of
 this Province now in force in such case made and provided the Said Joseph
 became Lyable to pay unto the afo John Sunstall the afo Sixty pounds Ster:
 yet the Said Joseph tho' often Required the Said Sixty pounds Ster: to the Said
 John hath not rendered but the Same to him hitherto to render hath Denied
 and still doth Deny and Unjustly Detain to the Damage of the Said John of
 fifty pounds of Lie money and thereupon he brings Suit &c — In Doe
 Shale ff the pledges &c — In Doe

And the aforesd Joseph McClester by Wm Buckingham his Attorney Cometh and
 Defendeth the force and Injury when &c and says that he cannot say the action
 afo of the afo John Sunstall nor can he say but that the writing obligatory afo is
 the deed of the Said Joseph nor but that he owes the Same John the afo Sixty
 pound Sterling in manner and forme as the Same John above against him
 Declared — Therefore it is Considered that the afo John Sunstall recover
 against the afo Joseph McClester his Debt afo and his Damages by Ocasion of the

316 Detaining of the Same Debt to three hundred and sixteen pounds