

November Court - 1723 . . . 104

Assignment on the afo^d Writing Obligatory I endorsed whose date is the day and year last mentioned witness of assignment duly Executed by the aforesaid Hugh the aforesaid John herewith likewise into Court brings did assign to the said John all his right title and Interest to the said writing Obligatory of which said assignment the aforesaid Thomas afterwards vizt on the day and year last mentioned had notice by which action hath accrued to the said John to require and have of the aforesaid Thomas the aforesaid Sixty pounds Sterling Nevertheless the aforesaid Thomas the aforesaid sum of Sixty pounds Sterling to the said Hugh before the assignment aforesaid or to the said John since that time hath not rendered but the same to the said Hugh before the aforesaid assignment or to the said John since that time to render hath altogether refused and the same to the said John hitherto to render still doth deny and unjustly detain altho' the same to the said Hugh to render on the thirty-first day of July and Dom^m Seventeen hundred and Thirty one before the assignment aforesaid at Somerset County aforesaid within the aforesaid Jurisdiction the said Thomas was required and the same to the said John to render afterwards vizt on the day and year last mentioned and after the assignment aforesaid at Somerset County aforesaid within the aforesaid jurisdiction was required whereupon the said John says he is damaged Seventy pounds Sterling and thereof he brings Suit & ^{pledges} ^{in due} ^{& R Rec}

And the afo^d Thomas Fletcher by William Penningham his attorney comes and defends the force and injury wherein and prays an hearing of the writing Obligatory afo^d and he hath it in these words Know all men by these presents that we John Videl of Somerset County gent Joseph M^r Fletcher of the said County gent Patrick Connally of the same place Hatter and the Rev^t Thomas Fletcher of the same place gent are held and firmly bound unto Hugh Porter of the afo^d County gent in the sum of Sixty pounds Sterling to be paid to him his heirs Ex^t Adm^t or assigns to which payment well and truly to be made and done we bind our selves our heirs Ex^t Adm^t jointly and severally firmly by these presents Sealed with Our Seals and Dated this 20th Day of March 1729^{ee} which being read and heard he likewise prays an hearing of the condition of the same Writing and he hath it in these words The condition of the above Obligation is that if the above bounden John Videl or M^r Fletcher Patrick Connally and the Rev^t Thomas Fletcher or either of them their heirs Ex^t Adm^t or assigns shall well and truly pay or cause to be paid unto Hugh Porter to him his heirs Ex^t Adm^t the sum of Thirty Pounds Irish Value at or before the 20th Day of September Next or deliver the above named John Videl who is now a prisoner into the custody of the above named Hugh Porter then the above Obligation to be void and of none Effect or otherwise to remain in full force power and virtue in Law which being read and heard he prays that the Original Writt on the Writing obligatory afo^d by the afo^d John Tunstall as signee of the said Hugh Porter Insperated may be Enrolled and it also Enrolled in these words Vizt Somerset County s^r Charles absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore Et To the Sher^r of Somerset County greeting we command you to take Thomas Fletcher late of Somerset County Clerk otherwise called the Rev^t Thomas Fletcher of the same place gent if he shall be found in your Gaol or prison and him safe keep so that you have his body before Our Justices of Our