

June Court - 1733 (19)

of the Province of Pennsylvania of the Value of one hundred and thirty three pounds Six Shillings and Eight pence (said Money of Maryland) and that at Somerset County aforesaid And this the said Edw is Ready to Verify and prays that he may be admitted to Discount the same against the Society five pounds. Lorr Money of the Province of Pennsylvania by the Condition of the same Obligation signed by him the said Edw to the said Rob. one and payable to him the said Rob. According to the form force and Effect of an Act of Assembly of this Province now in force in such Cases lately Made and provided and thereupon the said Edw prays Judgment if the said W^m Allen assignee of the said Rob who was assignee of the said Rob Atkins his Action aforesaid thereupon against him the said Edw. to have and Maintain ought &c. And the said William Allen assignee as aforesaid saith the plea aforesaid of the said Edw. in Manner and form aforesaid pleaded and the Matter in the same contained are altogether insufficient in Law and that he thereto hath no need or by the Law of the Land is in any sort hold to answer wherefore for want of sufficient plea in this Case the same William Allen assignee as aforesaid prays Judgment and his Debt aforesaid together with his Damages occasioned by the Detention of him that Debt to him to be adjudged &c.

And the aforesaid Edw Round saith that the plea aforesaid in Manner and form aforesaid pleaded & the Matter in the same contained are good and sufficient in Law the said W^m Allen from having and Maintaining his Action aforesaid ag^t him to preclude which he is ready to Verify which same Matter the said William hath not gainsayed nor to the same in any sort hath answered wherefore as before he prays Judgment and that the said William Allen from having his Action aforesaid against him may be precluded &c.

Whereupon all and singular the premises by the Court here being seen, heard, and diligent-ly inspected, and fully understood, and mature deliberation thereupon had, it seemeth to the Court here that the plea aforesaid in manner and form aforesaid, above pleaded, and the Matter in the same contained is not sufficient in the Law & the said William Allen assignee as aforesaid, of his Action aforesaid, thereof against the same Edward to have and preclude.

Therefore it is considered that the said William Allen assignee as aforesaid recover against the said Edward Round his debt aforesaid, and his Damages Sustained by Detention of the same debt to four hundred Eighty three pounds of Tobacco to the same William aforesaid by the Court here adjudged and the said debt in money &c.

Whereupon the same Edward Round by his attorney aforesaid prays that he may have relief in Equity on the Judgment aforesaid rendered against him on the part of the said William Allen assignee as aforesaid which is granted to him, he giving Security according to act of assembly -