

August Court - - - - - 1734 - - - - - 195

Whereupon the said Thomas Newbold present herein Court in his proper person is  
Judged to give speciall bail to the action aforesaid thereupon a certain Edward Rownd Charles  
Rackliff Thomas Hearn and John Newbold all of Somerset County Gent. came herein to Court  
in their proper persons and undertook and every of them did undertake and assumed upon them-  
selves for the said Thomas Newbold (likewise the said Thomas Newbold present as aforesaid assumed  
upon himself) that if in case the said Thomas Fletcher should recover Judgment against him  
the said Thomas Newbold in the plea aforesaid or that he the said Thomas Newbold should be therein  
Convict that then he the said Thomas Newbold should pay the Condemnation of the Court thereupon  
or render his body to the custody of the Sherriff of Somerset County in satisfaction thereof or that  
they the said Edward Rownd Charles Rackliff Thomas Hearn and John Newbold will do the same  
for him &c.

Whereupon the said Thomas Newbold in his own proper person Cometh and defendeth the  
force and Injury when &c. and saith that he cannot gainsay the action aforesaid of the aforesaid Thomas  
Fletcher nor can he say but that he did assume upon himself in manner <sup>and</sup> form as the aforesaid  
Thomas Fletcher above against him hath Complained and as to the Damage of the same  
Thomas Fletcher by him by occasion of the premises in that part sustained the same  
Thomas Newbold saith and Confesseth that the aforesaid Thomas Fletcher hath sustained  
damages by occasion of the premises further than his Costs and Charges by him about his  
suit in that part apposed to four thousand <sup>and eight hundred interest in Cash.</sup> pounds of tobacco and not more and because the aforesaid  
Thomas Fletcher deny not this but the same allegation Confesseth to be true prays Judgment  
for those damages above Confessed together with his Costs and Charges aforesaid to him to be adjudged  
Therefore by Consent of the parties aforesaid it is Considered that the aforesaid Thomas Fletcher recover  
against the aforesaid Thomas Newbold his damages aforesaid to the aforesaid <sup>eight hundred interest in Cash</sup> four thousand pounds of tobacco in  
form aforesaid Confesseth as also <sup>from hundred</sup> pounds of tobacco  
for his Costs and Charges aforesaid to the same Thomas Fletcher by the Court here and Consent of the  
parties aforesaid adjudged and the aforesaid Thomas Newbold in mercy &c.

John Beaden } Somerset County s. Thomas Lambert late of Somerset County Merchant otherwise  
Thomas Lambert } called Thomas Lambert of Somerset County in the province aforesaid Merchant  
was summoned to answer unto John Beaden of the same County and province  
Turner of a plea that he render unto him forty four pounds his Gold or silver  
money of Maryland which to him he oweth and unjustly detaineth &c.

And whereupon the same John by Francis Allen his Attorney saith that whereas the  
aforesaid Thomas the sixteenth day of February Anno Domini One thousand seven hundred and  
thirty three four at Somerset County aforesaid within the Jurisdiction of this Court by his certain  
writing obligatory did acknowledge himself to be held and firmly bound unto the aforesaid John  
in the aforesaid sum of forty four pounds in Gold or silver money of Maryland to be paid to the same  
John at or upon the Tenth day of August then next ensuing the date of the said writing obligatory  
Nevertheless the said Thomas the aforesaid sum of forty four pounds money as aforesaid to the same  
John at or upon the aforesaid tenth day of August did not pay nor as yet hath rendered but the same  
to him hitherto to render hath denyed and still doth deny & unjustly detain wherefore he saith