

March Court - - - 1734 - - - 259

The Consideration of the same Court did recover against the aforesaid Thomas Belling by the name of Thomas Belling late of Somerset County Mariner the aforesaid thirty shillings current money of Maryland and three hundred & sixty two pounds of tobacco which to the said John were adjudged for his damage, which he had sustained as well by Occasion of a certain trespass to the said John by the said Thomas then lately done as for his Costs & Charges by him about that suit in that part appeared whereof he is convicted as by the Record & process thereof in the same Court of the said Lord Proprietary before the Justice thereof now remaining more clearly and fully may appear which said Judgement in its full force strength & effect still remains not reversed adnull'd or satisfy'd and the same John Execution against the said Thomas Belling of the damages aforesaid as yet hath not obtain'd by which action hath accrued to the said John to require and have of the said Thomas the said thirty shillings current money of Maryland and three hundred & sixty two pounds of tobacco Nevertheless the said Thomas altho' ^{hereto} after required the said thirty shillings current money of Maryland & three hundred & sixty two pounds of tobacco to the said John hath not render'd but the same to him hitherto to render hath deny'd & still doth deny whereupon he says he is damny'd Eighteen hundred pounds of tobacco & thereof he brings Suit & Pledges & John Doe & B. Roe

A Copy of the foregoing declaration was made and sent to be served on the defendt with the will ^{in the plea} aforesaid according to act of assembly in such case provided &

All which said third Tuesday of March to wit the Eighteenth day of the same month A.D. 1734 One thousand Seven hundred and thirty four being the day of the return of the said will cometh the said John Ellis by his attorney afo. and the Sheriff of Somerset County to whom the foregoing will was directed likewise comes and makes return thereof to the Court here Endorsed in these words following vizt. - Legi Coram - declaration delivered in time - J. J. M. Carter Clerk

Whereupon the said Thomas Belling present herein Court in his proper person is - adjudged by the same Court to give Special bail to the action and thereupon a certain John Britt of Somerset County planter came herein Court in his proper person and undertook and assumed upon himself for the said Thomas Belling (likewise the said Thomas Belling assumed upon himself) that if in case the said John Ellis should recover Judgment in the plea afo. against the said Thomas Belling or that he the said Thomas Belling should be - herein Convict that then he the said Thomas Belling should pay the Fine or punishment of the Court thereupon or tender his body in Execution of such Judgment to the prison of the Sheriff of Somerset County in Satisfaction thereof or that he the said John Britt will do the same for him And the said Thomas Belling by Francis Allen his attorney Cometh and defendeth the fine