

June Court 1736 31

force and injury when I and J sayeth that he cannot gain say the action aforesaid of the aforesaid Robert Bolton nor can he say but that he did assume upon himself in manner and form as the aforesaid Robert above against him hath complained and as to the damage of the same Robert by him by occasion of the premises in that part sustained the same William saith and confesseth that the aforesaid Robert Bolton hath sustained damages by occasion of the premises beyond his costs and charges by him about his suit in that part apposed to six pounds nineteen shillings and nine pence half penny current money of Maryland and not more and because the aforesaid Robert Bolton deny not this but the same allegation confesseth to true prays Judgment for those damages above confessed together with his costs and charges aforesaid, adjudged &c. Therefore by Consent of the parties aforesaid it is considered by the Court here that the aforesaid Robert Bolton recover against the aforesaid William Wya his damages aforesaid to the aforesaid six pounds nineteen shillings and nine pence half penny current money of Maryland in full aforesaid confessed as also three pounds and fourteen pounds of tobacco for his costs and charges aforesaid to the same Robert by the Court here and Consent of the parties aforesaid adjudged and the aforesaid defendt. in mercy &c.

Ed James Law . . . } Somerset County J. William Benston late of Somerset County planter otherwise called Wm. Benston of Somerset County and in the province of Maryland Bricklayer was summoned to answer unto James Law of the County and province aforesaid planter of a plea that he tender unto him thirty two pounds current money of Maryland which to him he oweth and unjustly detaineth &c.

And whereupon the same James by Robert Jenckins Henry his attorney saith that whereas the aforesaid William the twenty seventh day of January Ann. Dom. One thousand seven hundred and thirty two three at Somerset County within the Jurisdiction of this Court by his certain writing Obligatory did acknowledge himself to be held and firmly bound unto the said James in the aforesaid thirty two pounds current money of Maryland to be paid unto the said James when he should be thereunto afterwards requested. Nevertheless the aforesaid William the often requested the aforesaid thirty two pounds current money aforesaid to the same James he hath not as yett tendered but the same to him hitherto to tender hath refused and still doth refuse and deny Wherefore the said James saith that he is the worse and hath damage to the value of twenty pounds and thereupon he brings suit &c. And bringeth here into Court the writing aforesaid which the debt aforesaid in form aforesaid doth testify dated the same day and year aforesaid &c.

pledges J. John Doe and Rich. Roe
Whereupon the said Wm Benston present here in Court in his proper person is by the same Court adjudged to give speciall Bail to the action aforesaid thereupon a certain George Lank late of Somerset County bricklayer came here into Court in his proper person and undertook for the said Wm Benston and assumed upon himselfe
(Likewise)