

June Court — — — 1735 — — — (51)

to answer unto John Atkinson of a plea that he render unto him eighty pounds Curr. Cash of Maryland which to him he owes and unjustly detains &c.

And the aforesaid John Atkinson by Francis Allen his attorney declared against the aforesaid Thomas Lambdon in the plea aforesaid a *Hollow &c. Vid.*

Somerset County *vs* Thomas Lambdon late of Somerset County Merchant ad. Diet. Thomas Lambdon of Somerset County in the province of Maryland Merchant was Sumoned to answer unto John Atkinson of a plea that he render unto him eighty pounds Curr. Cash of Maryland which to him he owes and unjustly detains &c.

And Whereupon the sd. John by Francis Allen his attorney saith that whereas the sd. Thomas the twenty fifth day of August Anno Domini Seventeen hundred & thirty three at the County of Somerset aforesd. within the Jurisdiction of this Court by his certain writing obligatory which the sd. John with the seal of the sd. Thomas signed hereinto Court bring the date whereof is the same day & year did acknowledge himself to be bound unto the sd. John in the aforesd. eighty pounds to be paid unto the sd. John when he should be thereunto required yett the sd. Thomas tho. often required the said eighty pounds to the sd. John hath not rendered but the same to him hitherto to render hath denyed and still doth deny and unjustly detain to the damage of the sd. John of ten pounds Curr. money aforesd. and thereupon he bring Suite &c. *Bledges &c. In. Doe. N. B. 3*

A Copy of the foregoing declaration was made and sent to be served on the defendt. with the writ in the plea afo. according to act of assembly in such case made and provided &c.

At which said third Tuesday of June to wit the fourteenth day of the same month Anno Domini One thousand Seven hundred and thirty five being the day of the return of the said writ cometh the said John Atkinson by his attorney afo. and the Just. of Somerset County to whom the foregoing writ was directed likewise cometh and maketh return thereof to the Court here Endorsed in these words following *Vid. Copi. Copus declaration delivered in time for. Master. 1735.*

Whereupon came hereinto Court the said Thomas Lambdon in his proper person and thereupon at the prayer of the aforesd. John Atkinson by his attorney aforesaid the said Thomas Lambdon is adjudgd to give special bail to the action afo. Thereupon certain Charles Ramsey and John Lamberson of Somerset County planters present herein Court in their proper person undertook and each of them undertook for the said Thomas Lambdon and assumed upon themselves (likewise the said Thomas Lambdon present herein Court as afo. assumed upon himself) that if in case the said Inl. Atkinson should recover judgment in the plea afo. against the said Thomas Lambdon or that the said Thomas Lambdon should be therein convicted that then he the said Thomas Lambdon should pay the Condemnation of the Court.