

November Court . . . — 1737 . . . . 152

the Judgment of the Court thereupon or tender his body in execution of such Judgment to the prison of the sherriff of the County aforesaid there to remain until the same Judgment be fully satisfied or that he the same Robert Givans will do the same for him &c. — And hereupon the said James Longo by Robert Jenkins Henry his attorney declared against the aforesaid John Farlo in form following Vizt Somerset sh: John Farlo late of Somerset County Blacksmith otherwise called John Farlo of Somerset County Blacksmith was summoned to answer unto James Longo of the same County wheelwright of a plea that he tender unto him the sum of seven pounds Curr: money of this province which to him he owes and unjustly detains &c. —

And Whereupon the said James by Robert Jenkins Henry his attorney saith that whereas the aforesaid John the second day of July one thousand seven hundred thirty and five at Somerset County within the Jurisdiction of this Court by his certain writing obligatory did by the name of John Farlo of Somerset County Blacksmith bind himself his heirs executors administrators or assigns to pay or cause to be paid to the said James Longo of the same County wheelwright the sum of seven pounds Curr: money of this province at or upon the first day of february next ensuing the date of the same writing obligatory Never theless the said John altho' often required the aforesaid sum of seven pounds unto the said James upon the first day of february aforesaid or at any time since he hath not in any sort paid but the same to him the said James to pay hitherto hath refused still doth refuse and unjustly detain to the damage of the said James five pounds like money aforesaid and thereof he brings suit &c. and brings hereinto Court the writing aforesaid which the debt aforesaid in form aforesaid doth testify the date of which is the same day and year above mentioned &c. —

Pledged J. Doe of R. Brok

And Whereupon the said John Farlo by William Beckingham his attorney Cometh & defendeth the plea and injury when &c. and saith that he cannot deny the action aforesaid of the aforesaid James Longo nor can he say but that the writing obligatory aforesaid is the debt of him the same John Farlo nor but that he oweth the same James the aforesaid seven pounds Curr: money of Maryland in manner and form