

March Court. 1740 99

Certain writing obligatory which the said Joseph with the seal of the said Patrick signed here into Court brings the date whereof is the same day and year did Acknowledge himself to be bound unto the aforesaid Joseph the sum of ten pounds nineteen shillings and six pence to be paid unto the said Joseph when he should be thereunto required yett the said Patrick tho' often required the said ten pounds nineteen shillings and six pence to the said Joseph hath not rendered but the same to him hitherto to render hath denied and still doth deny and unjustly detain to the damage of the said Joseph of ten pounds Current money of Maryland aforesaid and thereupon he brings Sued Pledg'd. J. John. Doe R. Roe

And the aforesaid Patrick Hersey by William Arbuckle his Attorney Cometh and defendeth the force and Injury when and saith that he cannot deny the Action aforesaid of the aforesaid Joseph Small's nor but that the writing obligatory aforesaid is the deed of the same Patrick Hersey nor but that he oweth the same Joseph the aforesaid ten pounds nineteen shillings and six pence Curr't money of Maryland in manner and form as the aforesaid Joseph above against him hath declared

197 Therefore it is Considered that the aforesaid Joseph Small's recover against the aforesaid Patrick Hersey his debt aforesaid and his damages by occasion of the detention of the same debt to: One hundred and ninety Seven pounds of tobacco to the same Joseph of his Assent by the Court here Adjudged and the aforesaid Patrick in mercy &c

At The Same } Somerset County } Francis Tate late of Somerset County planter.

198 Francis Tate } ad. dit Francis Tate of Somerset County Gents. was Summoned to answer unto Joseph Small's of a plea that he tender unto him Sixty two pounds Curr't money of Maryland which to him he Oweth and from him he unjustly detaineth &c.

And whereupon the said Joseph by Francis Allen his attorney saith that whereas the said Francis Tate the Twenty second day of November Ann'd. 1740. One thousand seven hundred and thirty nine at Somerset County aforesaid within the Jurisdiction of this Court by his Certain writing Obligatory which the said Joseph with the seal of the said Francis Tate signed here into Court brings the date whereof is the same day and year did acknowledge himself to be bound unto the aforesaid Joseph in the aforesaid sixty Two pounds Currant money of Maryland to be paid unto the said Joseph when he should be thereunto required yett the said Francis Tate tho' often thereunto required the said Sixty Two pounds to the said Joseph hath not rendered but the same to him hitherto, to render hath denied and still doth deny and unjustly detain to the damage of the said Joseph of thirty pounds Curr't money of Maryland aforesaid and thereupon he brings suit &c. Pledg'd. J. John. Doe R. Roe

And whereupon the aforesaid Francis Tate by William Arbuckle his attorney Cometh and defendeth the force and Injury when &c. and saith that he cannot deny the action aforesaid of the aforesaid Joseph Small's nor but that the writing Obligatory aforesaid is the deed of him the said Francis nor but that he oweth the same Joseph the aforesaid Sixty two pounds Currant money of Maryland in manner and form as the aforesaid Joseph above against him hath declared

Thos. P.