the aſt pltf the Sume of five thousand two hundred and Sixty four pounds of good Sound merchantable Tobacco Clear of all trash and ground Leaves of the aſd value & Fifty two pounds Sterling money for the true payment of two thousand Six hundred and thirty two pounds of good Sound merchantable Tobacco Clear of all trash and ground Leaves with Casque to Contain the Same to the aſd pltf Convenient in the aſd County at or before the tenth day of November next Ensueing the date of the said Bill Obligatory and the aſd pltf indeed Saith that the aſd Deft the aſd Sum of five thousand Six hundred and thirty two pounds of Merchantable Tobacco at or upon the aſd tenth Day of November to the aſd pltf hath not paid which to him at or upon the same day he ought to have done according to the form and Effect of the said Bill by which Action hath accrued to the said pltf to Exact and have of the aſd Deft the aſd Summ of five thousand two hundred and Sixty four pounds of Tobacco qualifyed as above & yet the aſd Deft altho often required the aſd Sume of five thousand two hundred and Sixty four pounds of Merchantable Tobacco to the aſd hath not paid But that to him to render or pay he the said Deft hitherto hath denyed and still doth denay and Unjustly delaine to the Damage of the aſd Deft five pounds of like money aſd and thereupon he brings Suit &c.

Benne & Taer. pltfs Jno Doe & R. Roe.

Whereupon at the prayer of the pltf the Deft is adjudged to give Speciall Bail to the action aſd and that the Sheriff of said County keep the said Deft in safe Custody until he Shall give Bail as aſd Thereupon Mr Simon Wilmer and John Clark both of Kent County present here in Court Undertake Joyntly and Severally for the said Daniel O'Haley that in Case the said Gilbert Falconer shall recover Judgment in the plea aſd against the said Daniel O'Haley or that he the said Daniel O'Haley shall be therein Convict, that then he the said Daniel O'Haley Shall pay the Condemnation of the Court thereupon or render his body to the Custody of the Sheriff of Kent County in satisfaction thereof or that they the aſd Mr Simon Wilmer and John Clark or one of them will do it for him

And the aſd Deft in his proper person Comes and defends the force and Injury when &c. And Says that he Cannot Gainsay the pltfs aſd his action so as aſd him brought, nor Can he say but that the said pltf ought to recover his Debt by ouer sion of the premises aſd to the Summ of five thousand two hundred and Sixty four pounds of Tobacco with Costs of Suit against him which the said pltf doth not Gainsay. Therefore it is Considered by the Court here the 17th day of August anno Dom 1720. That the said Gilbert Falconer Recover against the Said Daniel O'Haley as well the sum of five thousand two hundred and sixty four pounds of Tobacco his debt aſd in form aſd Confessed as also the Sumon of three hundred & Sixty one — pounds of Tobacco by the Court here adjudged to