

Two thousand pounds of tobacco of the proper good
and Charters of the said Dennis which from him he unjustly
detaineth &c.

At which said Court viz the 21st day of January Anno
Dom 1695 the day of the return of the writ aforesaid
James Smith Gent: high Sheriff of the County aforesaid and
returned his said writ in these words *Ita tenet* viz *capitulum*
pro James Smith Sheriff

Dennis Council } Jacobus
Samuel Gailer } Samuel Gailer of the County of Annapolis
was summoned to appear before the Court
of a Plea wherefore and force of the proper good and
Charters of him the said Dennis of the value of two thousand
pounds of tobacco & the several pieces of a silver
Bay Colour a white tail and a small garden the forhead
which from him he unjustly detaineth

And whereupon the said Dennis by William Hamilton his Attorney
saith that whereas the said Dennis on the 20th day of May Anno
Dom 1694 at Crofters River in said County within the Jurisdiction
of this Court was possessed as of his own proper good and estate
of one bright bay coloured horse with a white tail and a small
garden in the forhead of the value of two thousand pounds of
tobacco which aforesaid were on the yesterday of June Anno
Dom 1694 at the place aforesaid the said Samuel the said horse
out of the hands and possession of the said Dennis he took
Notwith standing the said Samuel the said horse to the said
Dennis he hath not delivered all the aforesaid demanded but
the same to deliver he hath denied and as yet he denieth to
unjustly detain whereupon he saith that he is damaged
and hath damage to the value of four thousand pounds of
tobacco and therefore he bringeth this suit

And the said Samuel Gailer by Robert Goodenough his
Attorney saith and defends the force and injury which he
prayed liberte thereof to impare hereunto that
was granted him the same day given the 1st August
wherein said cause stood continu'd from Court to Court from
the 2nd day of January Anno Dom 1695 until the
third Tuesday in August Anno Dom 1696