

Sept. Court 1702

The which Debt plea and demurr. being read heard and fully understood and by the Court Maturely delib. Considered it is Considered by the said Court that the said plea of the said Defend. is not sufficient to dobar the plaintiff from having his action and so as afo. brought in And shall the afo. demurr. of the said plaintiff to the plea of the said Defend. be adjudged good And it is therefore further Considered by the said Court that the said Charles Marshall and he; Recover against the said Remanus Smith as well the sum of three thousand five hundred pounds of tobacco the cost and for damages in the debt mention. as also the sum of three hundred and fifty three pounds of tobacco for their Costs of Suit and the said Defend. in Money &c.

Thereupon Comes the said Remanus Smith and Appeals from the Judg. of the said Court to the next proc. Court to which is granted unto him his giving Security according to Law

Thereupon Comes the said Remanus Smith with Messrs. Earle and John Loyd his Sureties who became bound for the said Remanus Smith accordingly as afo. said bond filed in this Court May Appear

Matthew Dowler of Wm. Hollisworth at dict. William Hollisworth of Kent County planter was Sumoned to answer unto Matthew Dowler of a plea of 500 lbs. of tobacco due him the full and just sum of five hundred pounds of good sound merchantable tobacco in case which to him he oweth and from him he unjustly detains. And whereupon the said Matthew Dowler by Richard Mack: his atty. saith that whereas the said Wm. Hollisworth the tenth day of August Anno Dom. 1700 at Kent County within the Jurisdiction of this Court by his certain bill or writing obligatory sealed with his Seale as his act and deed delivered and presented Court brought and admitt. to pay unto the said Matthew Dowler the sum of 500 lbs. of tobacco qualified as afo. mentioned in case or Chester river at or upon the tenth day of October next ensuing the date of the said bill or writing obligatory yett notwithstanding the said Wm. Hollisworth the afo. sum of 500 Tobacco according to the cont. of the same bill or writing obligatory unto the said Matthew Dowler hath not paid but the same to pay hath denied and refused and still doth deny and refuse and unjustly detains to the damage of the said Matthew one thousand pounds of tobacco and thereupon he brings this Suit. Plea. et. In. Doe & Rog.