November Court 1708

Kent County and altho' there may be sd Tobacco matters due in ye Name of the Said
Defdt at Adm^n as ye sd ye said pltffs will be bound to sue him at Adm^n for any matter in
ye said Acco^t contained For that the said pltffs did ye Services aly specified in ye
said Defdts for that the said Defdt is bound to pay out of his own Estate as Such
debts as he shall in any matter contract after ye death of Such Intestate upon whose
Estate he shall administer, Secondly Every plea to Acco^t ought to conclude to the Acco^n
that is to pray Judgment if ye pltffs his Action aforesd ought to have but this of the Defdt
hath not Such conclusion and therefore not according to that exact method of pleading
which by ye Law is prescribed and for this the said pltffs is ready to verify & whereupon
he prays Judgment and his damages to him to be awarded &c Wellinger for Quer

And the Defdt Jaques &c Philipson for Defdt

WHICH said plea and Demurrer being read and argued and in mature Deliberation
thereupon by ye Court being seen and allsoe that the plea aforesd is not sufficient in Law to
stay or delay Judgment IT IS ORDERED by the Court Wednesday
this Twenty Sixth day of November Anno Dom 1708 That the said pltff
James Crowle doe recover against the said Dominick Kearslagh the Defendant aforesd
the aforesd Sume of Nine hundred Seventy five pounds of Tobacco Damages and also
the Sume of Four hundred and Sixty pounds of Tobacco Costs by ye aforesd pltff
about his Suite in this behalfe expended and by the Court here of this present
adjudged And the Defendant in mercy

Jas Smith Clk

David Crowly } Commanded it was to the Shiff of Kent County the Twenty
Chris Philipson } Seventh day of Aprill in the Sixth year of the Reigne of Her
most Ma^ty Queen Anne &c that he take Christopher Philipson
of ye Same County and province Gent otherwise called Christopher
Philipson of the aforesd County & province Gent if he should be found in his bayliwick
and him safe keepe so that he have his body before her said Maties Justices of
the next Court to be held at the Court house in the Town and port of Chester in Said
County to Answer unto David Crowly of Kent County in the province of Maryland
pltiff of a plea that he render unto him the Full & Just Sume of Seventeen
hundred Seventy four pounds of good Sound Merchantable Tobacco in cask &c &c
and that he have then and there the Said Writ &c &c Said next Court Viz
the Twenty third day of March in ye Seventh year of her said Maties Reigne &c
day of Return of Said Writ came Capt Edward Scott high Shiff of Said County and
made returne thereof in these words thereon endorsed viz Capi Corpus &c me
Edw Scott Shiff

and