

March Court 1745

which from him he unjustly detains and that he have them and there the said writ &c. At which said next Court viz. the full day of March y. same year last mentioned the day of return of said writ came William Frisby Esq. High Sheriff of said County and made return thereof in these words thereon endorsed as foll. viz. *Cap. Coram J. W. Frisby Sher.*

and a Declaration being filed upon said writ found forth and a Copy thereof served therewith according to Act of Assembly in such Case made was as foll. viz. *Hent County Maryland of Sam. Bury late of Kent County in the Province of Carpenter* vs *Deb Samuel Bury of Kent County Carpenter* — was summoned to answer unto *Dennis Clarke of Kent County* Creditor of a plea that he render unto him the full sum or just quantity of four hundred & Seventy pounds of good Sound Merchantable Loose Tobacco clear of all manner of Trash & Ground Leaves in Cash to containe the same which from him he unjustly detains and whereupon the said Dennis Clarke by *John Johnson his Atty. Saith* that whereas the said Samuel the fourth day of June in the year of our Lord one thousand seven hundred & Twelve at the Parish of S. Pauls in the County & Province afo. & within the Jurisdiction of this Court by his certain bill or writing obligatory sealed with the Seale of the said Samuel here into Court brought whose date is the day & year afo. did acknowledge himselfe to be holden & bound unto the said Dennis in the said sum or quantity of four hundred & Seventy pounds of good Sound Merchantable Loose Tobacco clear of all manner of Trash & ground Leaves in Cash to containe the same conveyed out in Kent County aforesaid when ever afterwards he should be therunto required yet notwithstanding the said Sam. altho' often required &c. the said sum or qty of four hundred & Seventy pounds of Tobacco as afo. to the said Dennis hath not paid nor for the same any ways contented but to pay the same hath altogether denied and still deny to the — Damage of the said Dennis one thousand pounds of Tobacco and thereupon he brings his Suite &c. *Johnson of said plea &c. In Doe & Quitted Roe.* And the said Deft. being called came and in his proper person