

Nov. Court 1777

At which said next Court viz. the nineteenth day of November of same year after the day of return of said writ came Simon Wilmer Gent. High Sheriff of said County and made return thereof in these words thereon endorsed as folo viz. *Copi Corpus p. S. Wilmer Sheriff.*

AND a Declaration being filed when said writ issued and a Copy thereof served thereunto according to Act of Assembly in such Case made was as folo viz. *Kent County p. Murtough Mahony of Kent. County Labourer and Did Murtough Mahony of Queen Anne County. was summoned to answer Charles Beth of Queen Anne County of a plea that he render him the full and just Summe of five hundred pounds of good sound Merchantable Leaf Tobacco in Cash to contain the same of the price and value of fifty Shillings Sterling money which from him he detains.* . . . AND whereupon the app<sup>t</sup> p<sup>t</sup> by Thomas Bowne his atty. saith that whereas the app<sup>t</sup> Def<sup>t</sup> the Twenty third day of January in the Year of our Lord Christ one Thousand Seven hundred and Sixteen at St. Pauls Parish in Queen Anne County within the Jurisdiction of this Court by his certain Bill obligatory which he the said Def<sup>t</sup> sealed with his Seal and as his deed delivered herewith to Court brought the date whereof is the same day and year after bound himself to pay the said p<sup>t</sup> the app<sup>t</sup> five hundred pounds of good sound Merchantable Leaf Tobacco in Cash to contain of same of the price and value of fifty Shillings Sterling money Convention in Queen Anne County at or before the tenth day of November next ensuing. the date of said Bill obligatory yet the app<sup>t</sup> Def<sup>t</sup> altho' often required the app<sup>t</sup> Summe of five hundred pounds of Tobacco to the said p<sup>t</sup> hath not paid but that to him to render or pay the said Def<sup>t</sup> hath himself denied and yet doth deny to the damage of the said p<sup>t</sup> one thousand pounds of like Tobacco after and thereupon he brings Suite &c.

*Thomas Bowne p. Dec. p. p. p.*

AND the app<sup>t</sup> p<sup>t</sup> not living in the County. by his atty. app<sup>r</sup>ayed he might put in Security that if y<sup>e</sup> p<sup>t</sup> should be cast in y<sup>e</sup> Action after y<sup>e</sup> Def<sup>t</sup> might have his cost which was granted &c. which the said Thomas Bowne saith that he will pay the Cost in the Action after to the app<sup>t</sup> Def<sup>t</sup> if the p<sup>t</sup> be cast in y<sup>e</sup> same Action and y<sup>e</sup> p<sup>t</sup> shall not pay it himself.

The app<sup>t</sup> Def<sup>t</sup> being called came and the said p<sup>t</sup> by his atty. app<sup>r</sup>ayed that the Def<sup>t</sup> app<sup>r</sup>ayed might give Special Baile to the app<sup>t</sup> Action which was granted on which Josias Sanham of said County here in Court came and acknowledged himself for Special Baile in the said Action and doth undertake the payment of the Debt after & Cost thereon suretying if in Case the app<sup>t</sup> p<sup>t</sup> should obtain Judgment.