

August Court 1718

Gilbert Higginson Commanded it was to the Sheriff of Kent County the nineteenth day of June in the fourth year of his Lordships Dominion that Abraham Taylor of Kent County planter all Die if he should be found in his Bailwick and him safe keep so that he have his body before his said Lordships Justices of the next Court to be held for said County at the Court house in the Town of Merton in said County to answer unto Gilbert Higginson of a plea that he render the Summe of Eleven hundred & thirty two pounds of Pight & Cud Tob. of the value of Eleven pounds Sterling which from him he unjustly detains &c. and that he have them and there the said writ &c.

All which said next Court viz. the Nineteenth day of August the same year last mentioned the day of return of said writ came Simon de Linc Sheriff of said County and made return thereof in these words therein charged as follows
 And a Decd being said in said return viz. that County of Abraham Taylor of Kent County planter was summoned to answer unto Gilbert Higginson of a plea that he render him the Summe of Eleven hundred and thirty two pounds of Pight and Cud Tobacco in Casque of the value of Eleven pounds Sterling money which from him he unjustly detains &c. and to receive the ap. pte by Thomas Borne his attorney saith that whereas the ap. Deft. the thirteenth day of June in the year of our Lord Christ one thousand seven hundred and sixteen a. S. Pauls. parish in Kent County within the Jurisdiction of this Court by his certain Bill obligatory which he the said Deft. sealed with his seal and as his decd delivered hereto Court brought the date whereof with the same day and year ap. bound himself to pay to the said pte or his lawful attorney the Summe of Eleven hundred and thirty two pounds of Pight and Cud Tobacco to be paid in the County ap. in his Cask to his liking of the value of Eleven pounds Sterling money at or before the tenth day of Nov. next ensuing the date of the ap. Bill obligatory yet the ap. Deft. altho' often required the ap. Eleven hundred thirty and two pounds of Pight and Cud Tobacco of the ap. value to the said pte have not paid but that he him to render or pay the said Deft. hath hitherto denied and yet doth deny to the damage of the said pte seventy pounds Sterling money and thereupon he brings this Bill
 Borne & Jur. pte. J. Doe. J. Doe. J. Doe.

And the ap. pte. by his ap. atty pray that he may be taken as Surety for that the pte. not living in the County which is granted and that the ap. Thomas Borne acknowledges himself Surety for the ap. pte. in the ap. action and both under take to pay all Costs in the ap. action for the ap. pte. if the said Deft. shall appear to the same and that the pte. in the same and the pte. shall not pay a Cost himselfe

And the ap. Deft. being called came and the said pte. by his ap. atty pray that the said Deft. may give special bail to the ap. action which was granted and that he be kept in safe custody by the Sheriff of said County until he should give special Bail after which Thomas Hynson and Charles Hynson both of said County comes into Court and acknowledge themselves jointly and severally special bail in the ap. action and they and either of them do undertake for the ap. Deft. the payment of the debt ap. and Cost thereon arising if the said Deft. shall be cast in the same and the said Hynson shall not satisfy nor himselfe to the Custody of the Sheriff of said County deliver or that they the said Thomas Hynson and Charles Hynson or either of them the body of the said Deft. shall not render &c.

and