

November Court 1718

Gill. Higginson COMMISSIONER was to the Sheriff of Kent County the
 twenty second day of August in the fourth Year of his
 Lord Ships Dominion that he take Peter Massey of
 Kent County planter and did Peter Massey of y^e County of
 Kent in y^e Province aforesaid planter if he should be
 found in his Bayliwick and him safe keep so that he have his body before
 the Justices of our next County Court to be held at our Court house in the Town of
 Chester in said County to answer unto Gilbert Higginson of aplea that he
 render him the Sum of one thousand two hundred Twenty pounds of Tobacco
 of the value of Twelve pounds Sterling money which from him he unjustly
 detains &c. And that he have then and there the said writ &c.

All which said next Court viz. the eighteenth day of November the same
 Year last mentioned 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. Capi Corporis Simon Wilmer Sher

And a Declaration being filed when said writ shued forth and a Copy
 thereof served therewith according to Act of assembly in such Cases made was
 as folo viz. Kent County s. Peter Massey of Kent County planter and did Peter
 Massey of y^e County of Kent in y^e Province aforesaid planter was summoned
 to answer unto Gilbert Higginson of aplea that he render him the Sum
 of one thousand two hundred Twenty pounds of Tobacco of the value of
 Twelve pounds Sterling money which from him he unjustly detains &c.

And whereupon the app ptt by Thomas Bone his atty saith that whereas
 the app Deft. the third day of July in the year of our Lord Christ one thousand
 seven hundred and Seventeen at St. Pauls parish in Kent County ap within
 the Jurisdiction of this Court by his Certain writing obligatory which he
 the said Deft. sealed with his Seal and as his deed delivered hereinto Court
 brought the date whereof is the same day and Year ap granted himselfe
 his heirs Excu. & Assigns. to holden and firmly be paid to the app ptt in
 the app Sum of one thousand two hundred and twenty pounds of Tobacco
 of the app value of twelve pounds Sterling money to be paid to the said ptt
 when thereunto required yet the app Deft. altho often required the app one
 thousand two hundred and twenty pounds of Tobacco to the app ptt hath
 not paid but that to him to render or pay hath hitherto denied and yet
 denies and unjustly detains to the damage of him the said ptt Twenty pounds
 Sterling money and thereupon he brings Suite &c. Bone of Querspoes Lane

And now at the said Court came the app ptt. by his atty and saith that y^e
 said ptt is a person that doth not live in the County prays that he May be
 admitted as Security for the ptt which is granted and acknowledges himselfe as
 Security for the app ptt that if the said Deft. shall appear to the app Court
 and call the ptt in the same that then he will pay the Deft his Cost in the
 same if the ptt pay it not himselfe

And the app Deft being called came and the said ptt. by his atty prays
 that the said Deft may give Special Baile in the app Court which is
 granted