

Novemb<sup>r</sup> Court 1719

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from him he unjustly detains &c. And whereupon the ass Richard by David Macbride his atty Saith that whereas the ass Deft the 11th day of August in the Year of our Lord Christ one thousand seven hundred & ten at St. Pauls parish in Kent County and within the Jurisdiction of this Court by his certain Bill obligatory which he the said Deft Sealed with his Seale and as his deed delivered hereinto Court brought whose date is the same day and year above mentioned bound himselfe his heirs Executors and Administrators to pay to the ass Renatus Smith his heirs Executors and Administrators or a signes the ass full Sum of a Lufun hundred pound of good Sound Clean to Bale in Cask of the ass Value of Eleven pound Sterd money in some convenient place in Kent County when thereunto afterwards he should be required Never the less the ass Deft the ass full Sum of Eleven hundred pounds of good Sound Clean Tobacco and Cask of the ass Value of Eleven pound Sterling money to the ass Renatus Smith in his life time nor to the ass p<sup>l</sup> the death of the ass Renatus altho' often required he hath not rendered nor paid but that to the ass p<sup>l</sup> to render or pay further to hath denyed and still doth deny and unjustly detains to the damage of the said p<sup>l</sup> Twenty pound Sterling money & thereupon he brings Suite &c. And hereinto brings the Letters of Administration which Testific &c.

Macbride of Quod p<sup>l</sup>g. 11<sup>o</sup> Dec

AND now at this Court to wit the 19<sup>th</sup> day of November Anno Dom 1719 The ass Deft here present in Court in his proper person comes and Defends the force and injury when he. And saith that he cannot gainsay the p<sup>l</sup> his own ass Deft as ass against him brought nor can he say but that the said p<sup>l</sup> ought to recover his debt as ass and Cost of Suite against him which the said p<sup>l</sup> does not gainsay therefore it is ORDERED by the Justices here to wit the 19<sup>th</sup> day of November Anno Dom 1719 ass That the said Richard Cole Administrator as ass Recover against the said John Wilton as well the Sum of Eleven hundred pounds of Tobacco Debt ass in forme ass confessed as also the Sum of two hundred Sixty five pounds of Tobacco by the Court here adjudged to him for his Costs and Charges by him about this Suite in this behalfe laid out and expended and the said Deft in money &c.

AND The ass Deft by his atty ass Acknowledges to have received from the ass Deft the Sum of Six hundred Ninety three pounds of Tobacco in part of the Debt in the Judgment ass And that the said Sum be allowed to the said Deft in part of the Judgment as ass  
John Smith