

June Court 1720.

Jurisdiction of this Court by his Certain Writing Obligatory which he the *D. Def.* sealed with his Seal and as his deed delivered here into Court brought the date whereof is the same day and Year a^d. Granted himself holden and firmly bound unto the a^d. p^t. in the a^d. Summ of one thousand pounds of Every way well qualified Tobacco (lear of all manner of Ground Leaves or Trash in well Seasoned Cask of the a^d. value of Tenn pounds Sterling money to be paid to the a^d. p^t. on the a^d. Dwelling plantation where thereunto required. Yett the a^d. Def. altho often required the a^d. Summ of one thousand pounds of Tobacco to the a^d. p^t. hath not paid but that to him to render or pay hitherto hath dencyed and still doth deny and unjustly detain to the damage of the a^d. p^t. twenty pounds of like money a^d. and thereupon he brings Suite &c.

Bornes & Dues *100* *10* *100*

Where upon at the Prayer of the p^t. the Def. is adjudged to give Special Bail to the action a^d. Thereupon James Smith of Kent County Gent. present here in Court Undertakes for the *S. Samuel Phillips* that in Case the *S. William Frisby* shall recover Judgem^t. in the plea a^d. against the Said *Samuel Phillips*, or that he the Said *Samuel Phillips* shall be therein Convict that then the *S. Samuel Phillips* shall pay the Condemnation of the Court thereupon or render his body into the Custody of the Sher^t. of Kent County in Satisfaction thereof for that he the *S. James Smith* will do the same for him.

All now at this Court viz. the 28th day of July anno Dom 1720. the a^d. Def. here in Court present in his proper person Comes and defends the fore and injury when &c. and says that he cannot gainsay the a^d. p^t. his action a^d. So as a^d. against him brought, nor can he say but that the a^d. p^t. ought to recover his Debt by occasion of the premises a^d. to the Summ of one thousand pounds of Tobacco and Costs of Suite ag^t. him which the a^d. p^t. does not gainsay. Therefore it is Considered by the Justices here the 28th day of July anno Dom 1720. a^d. that the *S. William Frisby* recover against the *S. Samuel Phillips* as well the Summ of one thousand pounds of Tobacco his Debt a^d. in form a^d. Confessed as also the the Summ of three hundred and twenty two pounds of Tobacco ————— by the Court here adjudged to him for his Costs and Charges by him about his Suite in this Court out and Expended and the Def. in Mercy &c. *James Smith* Clk