

March Court 1717

All which said next Court viz. the eighteenth day of March the same year last mentioned the day of return of said writ came Simon W. Amor Gent. High Sheriff of said County and made return thereof in these words thereon endorsed as follows viz. Capi Ex parte Simon Wilmer Thier. And a Decd being filed when said writ issued forth and a Copy thereof served therewith according to Act of Assembly in such Case made was as follows viz. Kent County & Nathaniel Pearce of Kent County Plantor ali Did Nathaniel Pearce of Kent County was summoned to answer unto William Frisby of a plea that he render him the full and just Summe of Nine hundred and twenty pounds of good Merchantable Leaf Tobacco in Cash to containe the same of the value of Nine hundred Sterling money which from him he unjustly detaineth. And whereupon the app. ptt. by Thomas Towne his atty. saith that whereas the app. Deft. the twenty second day of June in the year of our Lord Christ one thousand seven hundred and seventeen at Sparks parish in Kent County within the Jurisdiction of this Court by his Certain writing obligatory which he of said Deft. sealed with his Seal and as his Decd delivered hereto Court brought the date whereof is the same day and year app. granted himself holden and firmly bound unto the app. ptt. in the app. full and just Summe of Nine hundred & twenty pounds of good Merchantable Leaf Tob^o in Cash to containe the same of the app. value of Nine hundred Sterling money to be paid unto the said ptt. when thereunto required the app. Summe of Nine hundred and twenty pounds of Tobacco to the said ptt. hath not paid but that to him to render or pay the said Deft. hitherto hath denied and still doth deny and unjustly detaineth to the damage of him the said ptt. Eighteen pounds of the money app. and thereupon he brings Sute.

And the app. Deft. being called came and the said ptt. by his app. atty. prayed the app. Deft. might give Special Bail to the app. action which is granted and on which Robert Meeks and John Johnson both of said County here in Court came and acknowledged themselves jointly and severally Special bail in the app. action and they and either of them do undertake for the said Deft. payment of the Debt app. and Cost thereon accruing if in Case the app. ptt. shall obtaine Judgment in the said action of Debt and the said Deft. the condemnation shall not satisfy nor himselfe to the Custody of the Sheriff of said County deliver or that the app. Robert Meeks and John Johnson the body of the said Deft. shall not render.

After which the said Deft. appeared to the above action and saith that he cannot gainsay the action app. of him the said ptt. nor but that the writing obligatory above mentioned is his Act and Decd and is willing that Judgment should be entered for the same and Cost accruing. Therefore it is Considered by the Court here viz. this Twentieth day of March Anno Domini One thousand seven hundred and seventeen that the app. ptt. William Frisby do recover against the said Deft. Nathaniel Pearce as well the app. Summe of Nine hundred