

June Court 1718

Value of five pounds Sterling money which from him he unjustly detain
and that he have them and there the said writ is. All which said next Court
viz the seven tenth day of June Anno Domini One thousand Seven
Hundred and Eighteen the day of return of said writ came Simon Wilmer
Gent high Sheriff of Kent County and made return thereof in these words
thereon I did as follows viz. Capi Corpus p J. Wilmer the
and a Deed being filed when said writ issued forth and a Copy thereof
served therewith according to Act of Assembly in such case made as
follows viz. Kent County p. Thomas Morell of Kent County planter and Did Thomas
Morell of Queen Besses County planter was summoned to shew into Thomas
Bourne of a plea that he render him the sum of five hundred pounds of
good sound Merchantable Tobacco in Cash of the value of five pounds
Sterling money which from him he unjustly detain

and whereupon the app ptt in proper person saith that whereas the app
Deft the Family Sixth day of November in the year of our Lord Christ one
Thousand Seven hundred and thirteen at Spauls parish in Kent County
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 & year as granted himselfe
taken and firmly bound unto the app ptt in the app sum of five hundred
pounds of good sound Merchantable Tobacco in Cash of the app value of five
pounds Sterling money to be paid unto the said ptt when thereunto required
yet the app Deft altho' often required the app sum of five hundred pounds
of Tobacco unto the said ptt hath not paid but that he him to render or pay the
said Deft hitherto hath denied and still doth deny and unjustly detain to the
Damage of him the said ptt seven pounds Sterling money unto him upon
he being sate &c. *Wm. of Spaul John Johnson ptt*

And the app Deft being called came and the app ptt pray that the said Deft
may give special Baile to the app Action which is granted and that he be
kept in safe Custody by the Sheriff of said County until he shall give special
Baile as app

after which William Simson of said County here in Court cometh and acknow:
ledged himselfe as special Baile in the app Action and doth undertake for
the app Deft the payment of the Debt app and all thereon accruing if the
said Deft should be cast in the same and the Condemnation shall not
satisfie nor himselfe to the Custody of the Sheriff of said County deliver or
that the app William Simson the Body of the app Deft shall not render &c.

And the app Deft in his proper person appeared to the app 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 deed and that he oowth unto
the app ptt the app sum of five hundred pounds of Tobacco and is willing
that Judgment should be entered for the same & all thereon accruing: *Wm. of Spaul*