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Capper by Francis Allen his attorney and the Sherd. of Somerset County to whom the foregoing writ was directed Likewise Cometh and maketh Return thereof to the Court here Endorsed in these words following viz

Attached in the hands of Isaac Marsh and Edmund Capper full value be for William Stark and Joseph Miller - Robert Martin Sherd —

And for divers causes shewn this cause hath been continued by the Court and Consent of the party from August Court and Term One thousand seven hundred twenty two until this present August Court and Term One thousand seven hundred and twenty three —

Whereupon the said Edmund Capper by his attorney aff humbly pray the Court that the sum of fifteen pounds seven shillings and ten pence and four hundred pounds of tobacco so as aff attached as the rights and credits of the said Samuel Daffay may be condemned in his hands to satisfy his debt & Costs —

Therefore it is considered by the Justices here the twentieth day of August and Term One thousand seven hundred and twenty three that the said sum of fifteen pounds seven shillings and ten pence and four hundred pounds of tobacco so as aff attached as of the rights and credits of the said Samuel Daffay may be condemned in the hands of the said Edmund Capper and that he have thereof his Execution —

Thomas Dashiell } Command was given to the Sherd. of Somerset County that he should take Thomas Barker
Thomas Barker } of County parish in Somerset County prisoner if he should be found in his Bailly work and
him should safe keep so that he might have his Body before the Justices of his Lord's High
County Court of Somerset to be held at Dividing Creek the third Tuesday of August then next to answer unto
Thomas Dashiell of costs of his writ upon the Law &c. and that thereof he should not fail &c.

All which said third Tuesday of August to wit the twentieth day of the same month and Term One thousand seven hundred and twenty three being the day of the return of the said writ Cometh the said Thomas Dashiell by George Dashiell his attorney and the Sherd. of Somerset County to whom the foregoing writ was directed Likewise Cometh and maketh Return thereof to the Court here Endorsed in these words following viz —

Capi Capper John M. Clerk Sherd —

Whereupon the said Thomas Barker in his own proper person Cometh and sheweth the force and injury when &c. and sayth that he cannot gain say the justness of his action aff so as aff against him brought nor can he say but that the said just ought to recover his damages by Occasion of the premises aff to Nine hundred and Sixty five pounds of tobacco and Costs of Suite against him which the said just doth not gain say &c. —

Therefore it is considered by the Justices here the twentieth day of August and Term One thousand seven hundred and twenty three that the said Thomas Dashiell Recover against the said Thomas Barker as well the sum of Nine hundred Sixty five pounds of tobacco for his damages aff in sum aff for profits as also the sum of Two hundred & sixteen pounds of tobacco by the Court here adjudged unto him for his costs and Charges by him about his Suite in this behalf laid out & Expended & doff in money &c.