

of a plea that he tender unto him the full & Just Quantity of one thousand nine hundred & fifty four pounds of tob^o. which to him he owes & unjustly detains & -

And Whereupon the same Benj^o. by Levin Gale his atty^r. Saith that whereas the sd John Summers the thirty first Day of May Seventeen hundred & Sixteen by his certain writing obligatory granted himself to be held & firmly bound unto the same Benj^o. in the full and Just Quantity of one thousand nine hundred & fifty four pounds of tob^o. to be paid the same Benj^o. when afterwards the said John should be thereto required yett the sd John thought often there to be required the sd Sum of one thousand nine hundred & fifty four pounds of tob^o. to the same Benjamin he hath not tendered but the same John the same letter to the same Benj^o. to tender he hath altogether denyed & still doth deny whereby the same Benj^o. says he is wear & hath done to the value of three thousand pounds of tob^o. & thereof he brings this Suite & - and the same Benjamin brings herunto Court the Writing Obligatory of & -

Levin Gale ff Quod Pledge & ad id ff ff

And the said John Summers in his own proper person Cometh and defendeth the force & Injury when &c. and says that he cannot gainsay the Brg^o his action of against him brought nor can he say but that the writing obligatory of is his act and deed and that the debt therein mentioned is yett due and unpaid wherefore the said Brg^o Crays Judgment for his debt of and his Costs and Damages Sustained by reason of the detaining of the same debt to him to be adjudged -

Therefore it is considered by the Justice here the fifteenth day of march and found. One thousand seven hundred and twenty five that the sd Benjamin Wailer Recover against the sd ^{John Summers} ~~John Summers~~ as was the Sum of One thousand Nine hundred and fifty four pounds of tob^o his debt of as also the Sum of Two hundred & Sixty One --- pounds of tob^o for his Costs and Damages Sustained by reason of the detaining of the same debt to the same Benj^o Wailer of his spent by the Court here ad judged and the sd doth in Mercy &c

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The same } Somerset sh. Thomas Baker Jct of Somerset County Clerk ad. D^o Thomas Baker of Somerset County in the province of Maryland planter was Sumond to answer unto Brg^o. Wailer of M^o plea that he tender unto him the full and Just Sum of one thousand five hundred Seventy eight pounds of Good Merchantable tob^o. & Casquet^o. to him he owes & unjustly detains & -

And Whereupon the same Benj^o. by Levin Gale his atty^r. Saith that whereas the sd Thomas the thirteenth Day of Aug^r. Seventeen hundred & sixteen at the Court of this Court by his certain writing obligatory granted himself to be held & firmly bound unto the same Benj^o. in the sd Sum of one thousand five hundred seventy eight pounds of Good

(Sound)