

March Court - - 1726 - - 244

And y^e thereof he should not fail &c. And the afd. Ju^r. Evans Jun^r. by Severin Gale his attly. Declared ag^t the afd. Dennis Folio in y^e plea as follows followeth viz^t
Soudsett s^r. Dennis Folio Late of Soudsett Co^{ty} Blacksmith ad^r. Ditch Dennis Folio of Soudsett Co^{ty} & province of Maryland Blacksmith was Sumoned to answer unto Ju^r. Evans Jun^r. of plea y^e render unto him y^e Sum of one thousand p^{ts}. of Tob^o. and Casque which to him he owes & unjustly Detaines &c.

And Whereupon y^e Same Ju^r. Evans Jun^r. by Severin Gale his attly. saith y^e whereas y^e afd. Dennis y^e fifteenth day of Aug^r. anno Domⁱ. one thousand seven hundred & twenty five at Soudsett County within y^e Jur^{is}. of this Court by his Certain Writing obligatory granted himself to be held & firmly Bound unto the afd. Ju^r. Evans in y^e afd. Sum of one thousand p^{ts}. of Tob^o. & Casque to be paid to y^e Said Ju^r. Evans at upon y^e tenth day of October Anno Domⁱ. one thousand seven hundred & twenty five Nevertheless y^e Said Dennis y^e Said Sum of one thousand p^{ts}. of Tob^o. & Casque though often thereto requested unto y^e Said John Evans upon y^e tenth day of October Anno Domⁱ. one thousand seven hundred & twenty five or at any time before or since hath not answered or y^e Same Ju^r. Evans for it in any wise Contented but y^e Said Dennis the same lither to doe hath Denied & Still doth Deny & unjustly Detain to y^e afd. Ju^r. of the Same Ju^r. two thousand p^{ts}. of Tob^o. thereofe Being this Suite &c.
And y^e Same Ju^r. Brings here into Court y^e Writing obligatory afd. with y^e Debt afd. in forme afd. Writs of the whose Date is &c.

Copy of y^e foregoing Dec^r. was made & sent to be served on y^e afd. Dennis Folio wth y^e twenty first day of y^e Same Month Anno Domⁱ. one thousand seven hundred & twenty six being y^e Day of y^e return of y^e Said Cause th^{er} y^e afd. Ju^r. Evans Jun^r. by his attly. afd. & y^e Sher^{iff}. of Soudsett County to whom y^e foregoing Writ was directed. Likewise Cometh Maketh return thereof to y^e Court here endorsed in these words following viz^t - Ex^{hib}. Copy Debt delivered in time of me Fran: Allen Sher^{iff}.

Whereupon the afd. Dennis Folio being called appear, and thereupon the said Dennis Folio at the prayer of the Plaintiffs attorney afd. is adjudged to give Special Bail to the action afd. but for want thereof the afd. Dennis Folio is committed into the Custody of the Sher^{iff}. of Soudsett County there to remain the said Sher^{iff}. to wit Francis Allen Jun^r. present herein Court took Charge of the afd. Dennis Folio, accordingly. And whereupon the afd. Dennis Folio in his own proper person in Custody as afd. / comes and defend, the force and injury whereof afd. saith that he cannot give way the action afd. of the afd. John Evans, nor but that he Oweeth the afd. John the afd. One thousand pounds of Tobacco in manner and form as the Same John above against ^{him} declared.

Therefore it is considered that the afd. John Evans Jun^r. Recover against the afd. Dennis Folio One thousand pounds of Tob^o. his debt afd. as also three hundred and seven ten pounds of Tob^o. for his damages which he sustained as well by reason of the detaining of the Same debt as for his costs and charges by him about his Suite in that part Expended to the Same John