

and within the Jurisdiction of this Court by his Certain Writing Obligatory granted himselfe to be hold and finally bound  
unto the said Robert in his Life time in the sum of three thousand one hundred and sixty pounds of tobacco to be  
paid the same Robert his Ex<sup>or</sup> ad<sup>or</sup> or assigns when after wards the said John should be there to Requi-  
red Never the less the said John altho' often there to required the said sum of three thousand one hun-  
dred and sixty pounds of tobacco to the same Robert in his Life time or the said Mary since the death  
of the said Robert hath not Rendered but the same to the same Robert in his Life time to Render  
hath altogether denyed and he the same to the said Mary to Render she doth deny whereby the same  
Mary says she is the worse and hath damage to the value of three thousand pounds of tobacco and  
thereof she brings this Suite & the said Mary brings her into Court as well the Letters testamen-  
tary & as the Writing Obligatory afo<sup>re</sup> - Leon Gale Qu<sup>er</sup>. Cledgor & Du<sup>o</sup> Doc K<sup>o</sup> K<sup>o</sup>.

Whereupon the said John Bosman being present in Court is adjudged at the prayer of  
the p<sup>er</sup> attorney afo<sup>re</sup> to give speciall bail to the action afo<sup>re</sup> - Whereupon a certain James  
Burnett of Somerset County Claunter present in Court in his proper person under takes for the  
said John Bosman that if in case the said Mary Martin Ex<sup>or</sup> afo<sup>re</sup> shall Recover Judgment in the  
plea afo<sup>re</sup> against the said John Bosman or that the said John Bosman shall be therein found  
that then he the said John Bosman shall pay the findemation of the Court thereupon or Render  
his Body to the custody of the Sher<sup>iff</sup> of Somerset County in satisfaction thereof or that he the said  
James Burnett will do it for him &

Whereupon the said John Bosman in his own proper person cometh & defendeth the force  
and Injury then & sayth that he cannot gain say the p<sup>er</sup> action afo<sup>re</sup> against him brought  
nor can he say but that the writing Obligatory afo<sup>re</sup> is his act and deed & that the debt therein mentioned  
is yett due and unsatisfied wherefore the said p<sup>er</sup> pray<sup>s</sup> Judgment for her debt afo<sup>re</sup> and her costs  
and Damages Sustained by occasion of the detaining of the same debt &

Therefore it is considered by the Justice here the Seventeenth day of Novemb. anno Domini  
One thousand Seven hundred & twenty five that the said Mary Martin Ex<sup>or</sup> afo<sup>re</sup> John Bosman -  
three thousand one hundred and sixty pounds of tobacco her debt afo<sup>re</sup> and her costs and damages by the  
occasion of the detaining of the same debt to three hundred and ninety five pounds of tobacco the same  
Mary by her afo<sup>re</sup> by the Court here adjudged and the said Debt in money &

(395)

John Donaldson  
Dennis folio

This being an action of trespass upon the Case & wherein the Sher<sup>iff</sup> of  
Somerset County to whom the writ in the same action was directed Likewise  
cometh and maketh Return thereof to the Court here endorsed in these words, folio  
following viz<sup>t</sup>. Legi Corpus of Francis Allen Sher<sup>iff</sup>.

Whereupon the said Dennis folio being called appears and thereupon the said Dennis  
folio at the prayer of the p<sup>er</sup> attorney is adjudged to give speciall Bayle to the action afo<sup>re</sup>  
Whereupon a certain Richard Chubbett of Somerset County Claunter Present herein  
Court