

Then and there faithfully promised that he the said Robert the said Sum of thirteen hundred and Sixty nine pounds of tobacco to the said William when he should be afterwards there to Requested he would well and faithfully pay and Content Nevertheless the said Robert his promise and assumption of in form of made Little regarding but plotting and fraudulently Intending the said William in that part Craftily and Subtly to deceive and defraud the said thirteen hundred and Sixty Nine pounds of tobacco to the said William hath not Paid or to him for the same in any wise Contented at this the same to do the said Robert by the said William on the first day of may in the Year of and after- ward at the County of within the Jurisdiction of he was thereunto Requested but the same to him to pay or in any wise to Content hath refused and still doth Refuse and deny whereupon the said William saith he is worse and hath damage to the value of Two thousand Seven hundred and thirty Eight pounds of tobacco and thereupon he brings this Suite of *£ 2000 38 00* *vs* *Robert Gwyn*

A Copy of the foregoing declaration was made and sent with the writ in the *16th* of Novemb. At which said third Tuesday of Novemb. to wit the Sixteenth day of the same month and Dow. One thousand seven hundred and twenty five being the day of the Return of the said Writ Cometh the said William Emanuel by his attorney of and the Sheriff of Somerset County of to whom the foregoing Writ was directed Likewise Cometh and maketh Return thereof to the Court here Endored in these words following vizt — *Legi Corpus* declaration delivered in time of *Wm Allen Sher*

Whereupon the said Robert Gwyn in his proper person Cometh and defendeth the force and Injury when of and sayeth that he cannot Gwyn say the *£ 2000 38 00* his action of so as of against him brought nor can he say but that the said *£ 2000 38 00* ought to recover his damages by reason of the premises of to thirteen hundred and Sixty Nine pounds of tobacco and Costs of Suite against him which the said *£ 2000 38 00* doth not Gwyn say

Therefore it is Considered by the Justice here the Sixteenth day of Novemb and Dow. One thousand Seven hundred and twenty five that the said William Emanuel Recover against the said Robert Gwyn as well the Sum of thirteen hundred and Sixty nine pounds of tobacco his damages of in form of refused as also the Sum of three hundred and three pounds of tobacco by the Court here adjudged unto him for his Costs and Charges by him about his Suite in this behalfe Paid out and Expended and the said *£ 2000 38 00* mercy

John Scott } Memorandum the 16th by Seem Gale his attorney sued out his said writ of  
Charles Young } Scire facis against the defendt the tenor whereof followeth in these words vizt —  
Somerset of Charles absolute Lord and proprietary of the provinces of mary- land and a valon Lord Baron of Baltimore &c To the Sheriff of Somerset County &c  
Whereas a certain John Scott lately in our County Court of Somerset (to wit) on the Twenty Second day of march in the sixth Year of our Dominion &c and Dow. One thousand Seven hundred and Twenty be- fore the worshipful Charles Ballard Gent and his associates then Justices of our said Court (at dividing  
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