

March Court ----- 1727 ----- 72

Doth Profer whereby the same Benjamin says he is warr and hath Damage to the Value of one thousand pounds of Tobacco and thereof brings this Suite

Leoni Gale ff. Attorney & Judock Kull Kee

Archiebald Greer	101	By Benj. Adolett	101
1713. To 1 Levie	117	By Adam Spence Clerk	27
1714. To 1 Ditto	179		269
1715. To 1 Ditto	397	Ballance Due in	397
1727. To Ballance on the other side	269		
To 12 years Interest @ 8 p. cent	258	Error Excepted from	
Ballance Due in	527	Benj. Wailer	

Copy of the foregoing declaration and an<sup>t</sup> were made great to be served on the doff with the writ in the plea afo<sup>r</sup> - All which said thing Tuesday of March to witt the Nineteenth Day of the same Month and Dow one thousand seven hundred and twenty Seven being the day of the return of the said writ came to the afo<sup>r</sup> Benj. Wailer by his attorney afo<sup>r</sup> and the Sheriff of Somerset County to whom the foregoing writ was directed likewise cometh & maketh return there: of to the Court here Endorsed in these words Viz.

Legi Coram deo: delivered in time of Fran. Allen Clerk.

And whereupon the afo<sup>r</sup> Archiebald Greer in his own proper person comes and defends the force and Injury when &c. and saith that he cannot gain say the action afo<sup>r</sup> nor can he say but that the afo<sup>r</sup> Benj. Wailer <sup>ought</sup> to recover his Damages by reason of the wronger: for a sum of ~~one~~ five hundred and twenty Seven pounds of Tob<sup>o</sup>. and the same declaration in all the words before Expressly forsaith

Therefore it is considered by the Court here the Nineteenth day of March and Dow one thousand seven hundred and twenty Seven that the afo<sup>r</sup> Benj. Wailer Recover ag<sup>t</sup> the said Archiebald Greer the Sum of five hundred and twenty Seven pounds of Tob<sup>o</sup> his Damages afo<sup>r</sup> in full afo<sup>r</sup> Couped as also Two hundred and forty Ninte <sup>249</sup> pounds of Tob<sup>o</sup> for his Costs and Charges by him about his Suite in that year Expended to the same Benj. Wailer by the Court here of his afo<sup>r</sup> adjudged & the afo<sup>r</sup> doctm<sup>r</sup> Henry &c

Memorandum the 11th by Leoni Gale his attorney sued out his Lordship's writ of Habeas Corpus against the detn the tenor whereof followeth in these words viz. Somerset sh. Charles absolute Lord and Proprietary of the provinces of Maryland and Avalon Lord Baron of Baltimore &c. To the Sher. of Somerset County greeting whereas Thomas Bileni and Catherine his wife Executrix of the last will & testament of Willm White Sale of the County afo<sup>r</sup> Marrison dec<sup>d</sup>. lately in our County Court of Somerset here to witt the twenty