

November Court — 1734 — (234)  
 to be paid to the said William Turpin or his assigns when thereof afterwards he  
 should be required and to the same payment well and truly to be made the aforesaid  
 Benjamin in his life time then bound his heirs Ex<sup>r</sup>. and Adm<sup>r</sup>. by the same ~~Benjamin~~  
 Nevertheless the aforesaid Benjamin in his life time and the aforesaid Cagwell the Executor  
 after the death of the said Benjamin altho' often required the aforesaid three thousand  
 and Eighteen pounds of Tobacco to the same William Turpin have not rendered  
 but that unto him to render hath refused and the aforesaid Cagwell the same to  
 him hitherto to render still both gainsay and unjustly detaineth wherefore  
 the same W<sup>m</sup> Turpin saith he is the worse & hath damage to the value of  
 six thousand and thirty six pounds of Tobacco and thereof he brings Suit Ex<sup>r</sup>.

pledges: John Doe & R. Roe.  
 A copy of the foregoing declaration was made and sent to be served on the  
 the defend<sup>t</sup> with the writ in the plea aforesaid according to act of assembly in such  
 case made and provided

At which said third Tuesday of November to wit the nineteenth day of the  
 same month and Dom One thousand Seven hundred and thirty four being  
 the day of the return of the said writ cometh the said William Turpin by his  
 attorney aforesaid and the Sher<sup>iff</sup> of Somerset County to whom the foregoing writ was  
 directed likewise comes and makes return thereof to the Court here Endorsed  
 Legi Coram declaration in time — of Joseph Macclister Sher<sup>iff</sup>.

And the aforesaid ~~Cagwell~~ King by Francis Allen his attorney cometh and defendeth the  
 same and Injury when &c. and saith nothing in barr or preclusion of the action aforesaid of the aforesaid  
 William Turpin by which the same William cometh against the aforesaid Cagwell the aforesaid unde-  
 founded &c.

Therefore it is considered that the aforesaid William Turpin Recover against the aforesaid Cagwell  
 King Executor of the aforesaid Benj<sup>m</sup> King his debt aforesaid and his damages by reason of the detaining of the  
 same debt to three hundred & fifty pounds — — — — — pounds of Tobacco to the same value  
 of his aforesaid by the Court here adjudged of his goods and Chattells which were of the aforesaid Benjamin at  
 the time of his death in the hands of the same Cagwell to be administered if so much in his hands he  
 hath and if so much in his hands he hath not than the damages aforesaid to be Levied of the proper goods  
 and Chattells of the same Cagwell and the aforesaid defend<sup>t</sup> in mercy &c.

Richard Gildart Esq<sup>r</sup> }  
 1003 Thomas Fletcher }  
 Command was given to the Sher<sup>iff</sup> of Somerset County that he  
 should take Thomas Fletcher late of Somerset County Clerk  
 if he should be found in his Bailwick and him should safe-  
 keep so that he might have his body before the Justice of  
 his Lordships County Court of Somerset to be held at dividing Creek the third Tuesday  
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