

March Court 1735 153

R^H Edmund Jennings Esq^r } Somerset sh^r James Smith Late of Somerset County planter otherwise called J^r
J^r James Smith } Smith of Somerset County was summoned to answer unto Edmund Jennings Esq^r of
of ap^l that he render unto him the Sum of Seven hundred pounds of Tobacco.
Which to him he owes and unjustly detains &c.

And whereupon the same Edmund by Robert Jenkins Henry his attorney saith that
whereas the a^p James the second day of April in the year of our Lord one thousand
seven hundred thirty and four at Somerset County a^p within the Jur^{is} of this Court by his certain
writing obligatory did acknowledge himself to be held and firmly bound unto the a^p said
Edmund in the a^p Seven hundred pounds of tobacco to be paid to the same Edmund when he
should be thereunto requested. Nevertheless the said James altho^{ugh} often thereunto requested
the a^p Seven hundred pounds of tobacco to the same Edmund he hath not as yet rendered
but the same to him hitherto to render hath denied and still doth refuse and deny where-
fore he saith that he is the worse and hath damage to the value of seven hundred pounds of
tobacco And thereof he brings suit &c and brings here into Court the writing a^p said
which the debt a^p in form a^p doth testify the date whereof is the same day and year a^p
pledges &c. John Doe & R^o Roe

And the a^p said James Smith by George Douglas his attorney comes and defends the force and
Injury when &c and saith that he cannot gain say the a^p of the a^p said Jennings nor can he say
but that the writing obligatory a^p is the deed of the same James Smith nor can he say byt that he owes
the same Edmund Jennings the a^p Seven hundred pounds of tobacco in manner and form as the a^p Edmund
above against him hath declared wherefore the same Edmund prays Judgment for his debt a^p and his damages
sustained by occasion of the detaining of the same debt to him to be adjudged &c

Therefore it is considered by the Court here that the a^p Edmund Jennings Esq^r recover
against the a^p James Smith his debt a^p and his damages by occasion of the detaining of that same debt
to One hundred & thirty six pounds of tobacco which the same Edmund of his
a^p said by the Court here adjudged and the a^p James in money &c

R^H The Same } Somerset County sh^r Jacob Luigo late of Somerset County planter otherwise called Jacob
J^r Jacob Luigo. } Luigo of Somerset County was summoned to answer unto Edmund Jennings Esq^r of ap^la
that he render unto him Seven hundred pounds of tobacco which to him he owes and unjustly
detains &c. And whereupon the same Edmund by Robert Jenkins Henry his attorney
saith that whereas the a^p Jacob the Twenty third day of February in the year
of our Lord one thousand seven hundred thirty and three at Somerset County a^p within
the Jur^{is} of this Court by his certain writing obligatory did acknowledge himself
to be held and firmly bound unto the a^p Edmund in the a^p Seven hundred pounds of tobacco
to be paid to the same Edmund when he should be thereunto requested. Nevertheless
the said Jacob altho^{ugh} often thereunto requested the a^p Seven hundred pounds of tobacco
to the same Edmund he hath not as yet rendered but the same to him hitherto to
(render)