

and place within Contained as by the precept and he was commanded &
And the said Richard Phillips by Robert Jenkinson Henry his attorney Cometh and prayeth Leave
thereof to Imparle here until next Court and he hath it and the same day is given to the said
William Manley may here also be.

At which said next Court to witt the Seventeenth day of August and then
One thousand seven hundred and thirty Six came againe as welle the said William Manley as
the said Richard Phillips by their attorneys and the said William Manley then & there his
writt and against the said Richard Phillips did not prosecute with effect but willfully permitted
his suit to be discontinued.

Therefore afterwards (to witt) that same day by
Discretion of the Justices here were adjudged the same Richard Phillips
182 pounds of tobacco for his costs and charges and by him about
his damages in that part sustained according to the form of the act of assembly in such case made & provided.
And the said William Manley and that the said Rule have their Execution & Return.

At James Smith Esq.
Arch: Bald Smith decd

Somerset County p^{to}

Charles Lade Late of Somerset County planter

Esq. Charles Lade.

at: unto Charles Lade of the said County was summoned to answer unto
James Smith Executor of the Last Will and Testament of Archibald

Smith decd. of agree that he tender unto him twenty Six pounds seven Shillings and four
pence current and Law full money of America which from him he unjustly detaines &c

And whereupon the said James by Francis Allen his attorney saith that whereas the
said Charles the first day of February and then. seventeen hundred and Twenty four five
at Aferchim place ~~in the County of Sussex~~ upon Delaware bet at Somer-
set County and within the Jurisdiction of this Court by his certain Writing Obligatory which
the said James with the seal of the said Charles signed hereto Court brings the date whereof
is the same day and year did acknowledge himself to be bound unto the said Archibald Smith
in his Lifetime in the said Twenty Six pounds seven Shillings and four pence money and to be
paid unto the said Archibald when he should be thereto required yett the said Charles the
Often required the said Twenty Six pounds seven Shillings and four pence to the said Archi-
bald in his Lifetime ^{to} or the said James since the decease of the said Archibald hath not tender-
ed but the same to the said Archibald in his Lifetime or to the said James since the decease
of the said Archibald to tender hath denyed and of saith to the said James to tender the doth
deny