

42. Thomas Walden } Command was given to the sherriffe of Somerset County
that he should take Thomas Walden late of Somerset County Gent
otherwise called Thomas Wolkins of Dorchester County and province of
be found in his bailwick and him should safe keep so that he might have his body
before the Justices of his Lordships County Court of Somerset to be held at deviding week
in the same County the third Tuesday of March Anno Domini one thousand seven hundred
and thirty eight seven to answer unto Henry Tripp of a plea that he render unto him
eight thousand six hundred and eighty two pounds of good Merchantable leaf tobacco
which to him he oweth and unjustly detaineth &c.

At which day here before his Lordships Justices at about then held at deviding week in the County
of Somerset Henry Tripp by Robert Jenchins Henry his attorney and the sherriffe to wit
John Henry Gent. now here returned that he had taken the afo. Thomas Walden -
whose body here at this day he had ready to answer the afo. Henry Tripp of the afo. plea
as to him it was commanded. and hereupon the afo. Henry Tripp declared
against the afo. Thomas Walden in the plea afo. in form following - Somerset s^r. Thomas Walden
late of Somerset County Gentleman otherwise called Thomas Wolkins of Dorchester County
and province afo. was summoned to answer unto Henry Tripp of a plea that he render
unto him eight thousand six hundred and eighty two pounds of good Merchantable leaf
tobacco which to him he oweth and unjustly detaineth &c.

And Whereupon the said Henry Tripp by Robert Jenchins Henry his attorney
saith that whereas the afo. Thomas the eighth day of October in the year of our
Lord God one thousand seven hundred thirty and seven at Somerset County afo. -
within the Jurisdiction of this Court by his certain writing obligatory did grant
himself to be held and firmly bound to the said Henry Tripp in the afo. eight thousand
six hundred and eighty two pounds of good Merchantable leaf tobacco to be paid to the
same Henry Tripp when he should thereof be requested Nevertheless the afo. -
Thomas altho ~~often~~ often thereunto requested the said eight thousand six hundred and
eighty two pounds of tobacco to the same Henry Tripp he hath not as yet rendered
but the same to him hitherto to render hath denied and still doth deny Wherefore he
saith that he is the worse and hath damage to the value of ten thousand pounds
of tobacco and therefore he brings suit &c. and brings here into Court the writing afo. which
the debt afo. in form afo. doth testify the date of which is the day and year above mentioned
Pledges &c. John Doe and Richard Roe