

August Court . . . . . 1740 . . . . . 15

Somerset sh: Charles Nevill Esq of Somerset County planter otherwise called Charles Beavall of Somerset County in the province of Va. was summoned to answer unto Littleton Townsend Administrator with the will annexed of all and singular the goods and Chattels <sup>and Credits</sup> which were of Job Sherry dec: at the time of his death of a plea that he render unto him fifteen thousand and fifty six pounds of tobacco which from him he unjustly detains &c.

And whereupon the said Littleton by Geo. Douglas his attorney says that whereas the said Charles on the twelfth day of October Anno Domini MDCCXXXIIJ at the County of Va. by his certain writing Obligatory which the said Littleton sealed with the seal of the said Charles hereinto Court brings whose date is the same day and year last mentioned did acknowledge himself to be hold and firmly bound unto the said Job Sherry in his Lifetime in the said sum of fifteen thousand and fifty six pounds of tobacco to be paid to the said Job Sherry his heirs Executors Administrators or assigns or Lawfull Attorney when he the said Charles should afterwards be thereto required and to the payment of the said sum of tobacco did bind himself his heirs Executors by the said writing Obligatory Nevertheless the said Charles the said fifteen thousand and fifty six pounds of tobacco to the said Job Sherry in his Lifetime or to the said Littleton since the death of the said Job Sherry hath not rendered but that same to the said Job in his Lifetime or to the said Littleton since the death of the said Job to render hath denied and the same to the said Littleton to render still doth deny and unjustly detain altho' the same to the said Job in his Lifetime to render the said Charles afterwards to wit the day and year last afo: at the County of Va. and often since that time was required and altho' the said Charles the same to the said Littleton since the death of the said Job to render afterwards to wit on the tenth day of August Anno Domini MDCCXXXIX at the County of Va. and often since that time was required whereupon the said Littleton says he is damaged sixteen thousand pounds of tobacco and thereof he brings suit &c. and the said Littleton brings into Court the Letters of Administration &c. by which &c.

At which day here came the afo: Littleton Townsend by his attorney <sup>and</sup> the sheriff to wit John Henry Gent now here returned that he had taken the afo: Charles Nevill whose body here at this day he had ready to answer the afo: Littleton Townsend of the afo: plea as to him it was commanded

Whereupon the afo: Charles Nevill at the prayer of the afo: Littleton Townsend is adjudged to give Speciall Bail to the action afo: Thereupon came here into Court a certain Robert King of Somerset County Gent. in his proper person and undertook for the said Charles Nevill (likewise the said Charles Nevill present here in Court in his proper person assumed upon himself) that if it should happen that Judgment in the plea afo: should be rendered for the same Littleton against the afo: said