Deliver unto the said Dan.l Sherwood good Bills due from responsible persons residing within this County of Talbot — amounting to Seventeen Thousand ps. of Tobacco as the said Thomas Dimondson by his plea aft.r shath above alledged and this he prays may be enquired by the Country

Yet Notwithstanding the said Thomas Dimondson by Bond and Wife his attorney relinquishing the Averm.t aft.r by him above pretended says that he Cannot Gainsay the pl.ffs Action aft.r so as aft.r aft.r him brought nor Can he say but that the writeing obligy aft.r is his Act and deed and that the Debt therein Mentioned is yet due and unsatisfyed — Wherefore the said pl.ff prays Judgm.t for his Debt aft.r and his Costs and damages Sustained by Occasion of Detaining the Same Debt to him to be adjudged &c.

Therefore it is Considered by the Justices here the 11 day of Sept.r Anno Dom.i 1716 aft.r that the said Dan.l Sherwood recover against the said Thomas Dimondson as well the Sume of Ninety and four thousand pounds of Tobacco his Debt aft.r as also the Sume of Pounds of Tob.o by —

1051 The Court here adjudged unto him of his Apeal for his Costs and Damages Sustained by Occasion of Detaining the Same Debt and the def.t in Mercy &c. Mr. Lee pl.ff by his attorney aft.r Prays the Apeal.t of this Judgm.t may lie till the first day of February next

NB. Robert Lewett & Comp.a } Commandment was Given to the Sheriff of
Archibald Smith } Somerset County That he should take Archibald Smith of Somersett County Planter otherwise Called Archabald Smith of Somersett County if he should be found in his Bailiwick and him Safe keep so that he might have his body before the Justices of this Lordships prov.l Court to be held at Annapolis the Second Tuesday of Sept.r then next to Answer unto Rob.t Lewett & Comp.a of a plea of Mere render unto them the Sume

(of)

of Twenty one thousand nine hundred and Ninety four p.ds of good Sound Merchant=able leaf Tob.o in Cask to Contain the same w.ch to them he owes & unjustly detaines &c. and that thereof he Sheriff not fail &c.

And the s.d Rob.t Lewett & Co. by Thomas Bordley their attorney Comp.ing Declare against the said Archibald Smith of a plea of the render unto them the Sume of Twenty one thousand Nine hundred Ninety four Pounds of good Sound Merchantable leaf tob.o in Cask to Contain the same w.ch to them he owes & unjustly detaines &c. —

And Whereupon the Same Rob.t Lewett and Comp.a by Thomas Bordley their attorney say that whereas the aft.r Archibald Smith the Twenty fourth day of June Anno Dom.i Seventeen hundred and fifteen at Ann.s County by his Certain writeing Obligy Granted himself to be bounden and firmly bound to the said Robert Lewett and Comp.a in the full and Just Summe of Twenty one thousand Nine hundred and Ninety four p.ds of good Sound Merchantable Leaf Tobacco in Cask in Contain the Same to be paid to the said Rob.t Lewett and Comp.a at Com.n Landings on Swansons Creek patux.t River before or upon the twelth day of December then next Ensueing the date thereof Notwithstanding the aft.r Archibald Smith altho.s often required the aft.r twenty one thousand nine hundred and ninety four pounds of Tob.o in Cask as aft.r to the Same Rob.t Lewett hath not yet rendred but the Same to him hitherto to render hath altogether refused and still doth refuse whereupon he saith he is the worse and hath Lost to the value of Twenty one thousand nine hundred and ninety four pounds of Tob.o in Cask and therefore he brings his Suite &c. And he brings hereinto Court the writeing obligy aft.r which testifyes the Debt aft.r in form aft.r and whose date is the Same day & year aforesaid &c. } Dan.l Dod } Plegd &c. } Pl.ff Rod. }

And the aft.r Archibald by his attorney Comes and defends the force and injury when &c. and prays a hearing of the writeing obligy aft.r and it is read unto him he also prays a hearing of the Cont.s of the Same writeing obligy and it is read unto him in these words fol.s Whereas the above bound Archibald Smith for a Valuable Consid.n in hand recd. have sundry bonds due &c.

(payable)