to be held at the aforesaid Town of Cambridge the Second Tuesday of June then next following to
satisfye unto the same Francis as well of the Debt aforesaid of Eight thousand & thirty Pounds of
Tobacco which the aforesaid Francis in the same Court there did recover against him as of the
aforesaid four hundred forty & one Pounds of Tobacco which unto the same Francis in the same
Court there were adjudged for his Costs & Damages which he had sustained by Occasion of
the Detention of that Debt the aforesaid Debt Costs & Damages on the aforesaid third Day of May & for
severall Months afterwards being of the Value of the aforesaid Eighty four Pounds fourteen Shillings
& two pence Sterling Money of Great Britain to wit at Dorchester County aforesaid (whereof he
was Convict which said Writ the same Francis afterward & before the return of the same
Writ to wit the Sixth Day of May Anno Dom Seventeen hundred twenty & five at Cambridge
in Dorchester County aforesaid unto the aforesaid Richard Willis & a Certain John Robison lately dered
then & there Coroners of the aforesaid County of Dorchester being deliver in due form of Law to be
Executed by Virtue of which said Writ the aforesaid Richard Willis afterward & before the return
of the same Writ to wit the day of June in the year of our Lord God Seventeen
hundred twenty & five at Cambridge in Dorchester County aforesaid the same Richard then & there
being one of the Coroners of the aforesaid County) the aforesaid Charles Eagle did take & arrest & him the
said Charles Eagle in his Custody then & there held & imprisoned in Execution for the debt
Cost & Damages aforesaid And the aforesaid Charles Eagle in the Custody of the aforesaid Richard Willis
then one of the Coroners of Dorchester County aforesaid in form aforesaid being the same Richard Willis
afterward to wit the Day of June Anno Dom Seventeen hundred twenty & five at
Cambridge in the County aforesaid the aforesaid Charles Eagle in his Custody in form aforesaid being from
the Custody of him the said Richard Willis then & there being one of the Coroners of the
said County at large where he would to go without the licence & against the will of
the said Francis did permit the same Francis of the Debt Costs & Damages aforesaid then or yet
in no Sort being satisfyed And the aforesaid Francis further Saith that the same Debt Costs and
Damages then & for severall Months afterward there were of the Value of the said Sum
of Eighty four Pounds fourteen Shillings & two Pence Sterling Money of Great Britain &
that the aforesaid John afterward & before the impetration of the Writ in this Action there died & that
the aforesaid Richard Willis him hath survived by which Action hath accrued unto the aforesaid Francis
to demand & have from the aforesaid Richard Willis the aforesaid Eighty four Pounds fourteen Shillings
& two Pence Sterling Money of Great Britain Nevertheless the aforesaid Richard altho often required
the aforesaid Sum of Tobacco or any Pound thereof or the aforesaid Sum of Eighty four Pounds fourteen
Shillings & two Pence Sterling or any Penny thereof unto the same Francis hath not rendered
but that unto him hitherto to render hath refused & still doth refuse Wherefore he Saith that
he is the Worse & hath Damage to the Value of One hundred Pounds Sterling & thereof he
brings his Suit &c Pledges &c John Doe & Richd Roe

(And the said Richard Willis by Joshua George his Attorney Comes & defends
the force & Injury when &c And prays a hearing of the Writ aforesaid which is read unto him
in these Words (Viz.) Maryland ss

Charles Absolute Lord and Proprietor of the
Province of Maryland & Avalon Lord Baron of Baltimore &c To the Sheriff
of Dorchester County Greeting We Command you that you take Richard Willis
late of Dorchester County Gent One of the Coroners of the same County if he shall
be found in your Bailywick and him safe keep so that you have his Body before
the Justices of our Provincial Court to be held at Annapolis the third Tuesday of
October next to answer unto Francis Skirven of a Plea that he render unto
him the Sum of Eighty four Pounds fourteen Shillings & two Pence Sterling Money
of Great Britain which unto him he owes and unjustly detaineth &c Thereof fail
not at your Peril and have you then there this Writ Witness Thomas Addison Esq
(Chief)

Chief Justice of our said Court the 21st Day of May in the 11th year of our Soveraigntie & Anno Dom
1726 —
Issued 20th Sept 1726

(Will Howard)

Richd Denton Clk

which being read & heard the said Richard Willis by his said Attorney prays
leave to imparle hereunto untill next Court And he hath it And the same Day is given to
the Plft Also —

All which said next Court to wit the 16th Day of May Anno Dom 1727 Comes again
the said Parties Plft & Deft by their Attorneys aft And the said Deft by his said Attorney —
prays further leave to imparle hereunto untill next Court And he hath it And the same —
Day is given to the Plft Also —

All which said next Court to wit the 17th Day of October Anno Dom 1727 Comes
again the said Parties Plft & Deft by their Attorneys aft And the said Deft by his said Attorney —
prays further leave to imparle hereunto untill next Court And he hath it And the same Day is
given to the Plft Also —

All which said next Court to wit the 21st Day of May Anno Dom 1728 Comes again
as well the said Francis Skirven by his Attorney aft As the said Richard Willis by his Attorney
aft And the said Richard Willis by his said Attorney as before defends the force & Injury when
&c And Saith that the Writ & Declaration aft and the Matter in the same Contained are not
sufficient in Law for the same Francis Skirven his Action aft against him the said Richard
to have & maintain And that he to the same hath no need nor by the Law is obliged to answer
And for Cause of Demurrer according to the Statute Shews to the Court here the following reasons
(Viz.)

First — For that it appears the Defendant is sued in an Action of Debt for a Certain Sum
of Money whereas it appears by the Declaration that the Debt owing if any was Tobacco —

Secondly — The Declaration is vitious in Substance & form —

And the aforesaid Francis for that he hath above declared Sufficient Matter in Law to have
& maintain his Action aft against the aforesaid Richard Willis which he is ready to Verify which —
Matter the same Richard hath not gainsayed nor to the same any Way answered but the same
to admit for true Altogether refused Wherefore the same Francis prays Judgment & his Debt aft
together with his Damages occasioned by the Detention of the same Debt to him to be adjudged &c

Whereupon all & Singular the Premisses being by the Court here seen & heard fully
understood & Mature deliberation thereupon had for that it seems to the Court here that the
said Francis Skirven hath not above declared Sufficient Matter in Law to have & maintain
his Action aft against the said Richard Willis —

Therefore it is Considered by the Justices here this 21st Day of May Anno
Dom 1728 aft that the said Francis Skirven take Nothing by his Writ aft but be in Mercy for
his Clamour And that the said Richard Willis go thereof without day. And also it is Considered
that the said Richard Willis recover against the said Francis Skirven the Sum of
159 Pounds of Tobacco by the Court here adjudged unto him for his Costs & Charges
by him about his defence in this behalf laid out & expended according to the form of the
Statute &c —

Whereupon the said Francis Skirven by his Attorney aft prays an Appeal —
from the Judgment of this Court to the high Court of Appeals which is granted And Ordered —
that the Record thereof be transmitted accordingly —