

The Jury agreeing deliuered in their verdict by their forman M^r Liber A
Thomas Hussey which was as followeth That Whearas thear is noth-
ing appeareth by Euidence that ther was no Caus of Action

It is thearfor ordered that the sayd Lee shoold bee nonsuited and
pay the Cost and Charge of suite:

Clement Theoballs Plantiue } The Plantiue Aresting the defendant
Robert Downes Defendant } Prefereth his Petition as followeth

To the Worshipfull Commissioner of Charleses Countie the
humble Petition of Clement Theoballs sheweth that Robert Downes 474
standeth indebted unto your Petitioner the sum of four hundered and
thirty pounds of tob: and Caske your Petitioner Craueth order
against the sayd downes with Cost of suit and hee shall pray

and thear beeing no obiection made against the sayd Petition it is
ordered that the sayd Downes pay unto the sayd Theoballs four hun-
dered and thirtie pounds of tob: and Caske with Cost and Charge of
suit:

James Lec desiereth that M^r Francis Batchcler might haue his oath
giuen him Concerning Joseph Lenton Will whis was granted

M^r Francis Batcheler aged 26 years or thearabouts sworne and [p. 195]
examined in open Court sayeth hee found a will of Joseph Lenton
amongst his Papers when hee seised the sayd Lentons Estate in the
belhalfe of the Right Honorable Lord Proprietarie which will this
deponant deliuered unto M^r Francis Pope and further sayeth th^t to
the best of his knowledge James Lee and John Tomkinson wear ap-
poynted Ouerseers to the sayd Estate and further sayeth not:

M^r Thomas Stone beeing Summoned to the Court held in this 475
Countie the eight and twentieth of January A^o q³ Doⁿⁱ 1661 and not
appearing and at A Court held the 19th of Nouember refusing to
tacke the Commissioners Oath of which hee had a Coppie and only
desiered untill the 28th of January ensuing to Consider of it: and then
beeing summoned as aforsayd and not appearing nor at this Court to
sarue this Countie in the office of a Commissioner as by power thear-
unto Commanded it is thearfour ordered that the Sheriff Leuie by
way of Execution in the behalfe of the Right Honorable Lord Pro-
prietarie of this Prouince of Mariland one thowsand pounds of tob:
and Caske upon any of the goods debts or Chattels of the sayd
Thomas Stones and Certifie his Proceeding in that behalfe to the
Receauer Generall of Mariland with all Expedition:

Richard Watson desireth that his euidences may haue their oaths
taken hee hauing taken out too warrants against John Morrise and
they beeing boath returned not erat inuentus which is granted: