

he is dampnified and hath losse to the value of foure thousand pounds of tobacco and thereupon he bringeth his suite. Liber JJ

And the said Garrett by Robert Carvile his Attorney cometh and defends the force and injury when &c and the same Attorney sayes that he is not informed by him the said Garrett his Client of any answer to the said William to be given as to nine hundred pounds part of the said summe of three thousand pounds of tobacco by which he remaineth against the said Garrett thereof undefended, Therefore it is considered off by the Court here to witt the sixteenth day of April in the xxxviii<sup>th</sup> yeare of his Löpps Dominion &c that the aforesaid William doe recover against the said Garrett of the estate of the said William Thellowalle the said summe of nine hundred pounds of tobacco with costs of suite.

Thomas Mathews ag <sup>t</sup> Jn <sup>o</sup> Allell adm <sup>r</sup> Jn <sup>o</sup> Hitchinson	}	John Allen late of Charles County merchant administrator of the goods and Chattells of John Hitchinson deceased was sumoned to answer unto Thomas Mathews in a plea of trespas upon the case
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Whereupon the said Thomas by Benjamin Rozer his Attorney saith that whereas the said John Hitchinson in his life time that is to say the last day of August in the yeare of Our Lord One thousand six hundred sixty seaven did owe and stand indebted to the said Thomas the summe of foure thousand foure hundred sixty nine pounds of tobacco for meate drink lodging phisick and other accomodations by him before that time had and received of the said Thomas he the said John Hitchinson in consideration thereof did assume upon himselfe and to the said Thomas then and there faithfully promised that the said summe of foure thousand foure hundred sixty nine pounds of tobacco he would to the said Thomas pay upon demand yet notwithstanding the said John Hitchinson in his life time his promise and assumption aforesaid little regarding and the aforesaid John Allen after the death of the aforesaid John Hitchinson to whom the administration of all the goods and Chattells which were the aforesaid John Hitchinsons at the time of his death by the Cheife judge for probate of Wills and granting of administrations committed and to him sufficient goods and chattells to pay all the debts of the said John deceased came to be administred although often requested the aforesaid foure thousand foure hundred sixty nine pounds of tobacco did not pay or satisfie and the said John Allen the same to pay or satisfie as yet doth deny and refuse to the great damage of the said Thomas and thereupon he bringeth his suite [p. 86]

And the said John Allen by Robert Carvile his Attorney cometh and defendeth the force and injury when &c and the same Attorney saith that he is not informed by the said John his Client of any answer to be to the said Thomas given by which the said Thomas remaineth against the said John undefended therefore it is considered off by