

Liber M M journed untill the next day being the Twelveth day of the same November.

p. 82 At w<sup>ch</sup> said Twelveth day of November in the 42<sup>th</sup> yeare of the Dominion of Caecilius &c Annoq; Domini 1673. came aswell the said Thomas Simson by John Morecroft his Attorney as the said Richard & Justinian by Robert Carvile their Attorney and the Juro<sup>rs</sup> of that Jury likewise came to wit Thomas Alanson Morgan Jones Philip Boggas Nicholas Carre Curtis ffletcher Thomas Knighton John Balley Brian Dayly Abraham Roades Patrick fforrest ffrancis Wyne and William Harper who to say the truth in the p<sup>m</sup>ises being Elected tryed & sworne, and the Cause being fully argued by the Attorneys of both sides the p<sup>t</sup> suffered a nonsuite and the Co<sup>rt</sup> Did ord<sup>r</sup> by consent of both ptyes that One hundred Eighty five pounds of Tobacco being payd by Simson to Tennison the said Tennison to Deliver unto the said Simson his bill up for Two Thowsand Two hundred and fifty pounds of Tobacco and it is further considered of by the Co<sup>rt</sup> that the said Richard and Justinian Recover against the said Thomas Simson the su<sup>m</sup>e of pounds of Tobacco for their costs and Charges in this behalfe most wrongfully & vexatiously susteined and the said Thomas in mercy for his false complaint &c. And the Co<sup>rt</sup> Doe further ord<sup>r</sup> that the Jury be allowed 720<sup>t</sup> Tob for their trouble & charge in Attending y<sup>e</sup> Co<sup>rt</sup> for y<sup>e</sup> tryall of this cause, and to be pd by y<sup>e</sup> sd Richard & Justinian & to be allowed y<sup>m</sup> in their costs.

Walter Sencarfe } Josias ffendall late of Charles County was attached  
ag<sup>t</sup> } to answe<sup>r</sup>e unto Walter Sencarfe in a plea of  
Josias ffendall } Trespas upon the case.

And whereupon the said Walter by Vincent Low his Attorney complaineth that whereas the said Josias ffendall the 12<sup>th</sup> day of May in the yeare 1655 stood indebted unto the said Walter Sencarfe in the su<sup>m</sup>e of One Thowsand pounds of Tobacco, In Considera<sup>co</sup>n whereof the said Josias ffendall did assume upon himself and to the said Walter did faithfully p<sup>m</sup>ise that he the said Josias when hereunto Required the said One Thowsand pounds of Tobacco to him the said Walter upon the Tenth day of October in the same yeare would well & truly content & pay Notw<sup>th</sup>standing w<sup>ch</sup> the said Josias the sd Su<sup>m</sup>e of One Thowsand pounds of Tobacco according to his p<sup>m</sup>ise hath not payd tho often Required but the same to pay altogether Denyes whereupon the said Walter saith he is Damni<sup>f</sup>yed two thowsand pounds of Tobacco and thereupon he bring[eth] suite. And the said Josias ffendall by Robert Carvile his Attorney cometh and Defendeth the force and injury when &c and saith he did not p<sup>m</sup>ise & assume u[pon] himself in manner & forme as the  
p. 83 said Walter above hath upon him De[cl]ared] and of this he puts himself upon the Country and the said Walter likewise