

Liber M M Sybrey was summoned this Co^{rt} or that Ever any such subpoena Came to y^e Sheriffs hand.

Tho: Gannt	}	ffrancis Gunby late of St Maryes County and Mathew Smith late of Calvert County were summoned to answer unto Thomas Gannt of a plea that they Rend ^r to him the sum of six Thowsand pounds of Tobacco w ^{ch} to him they owe & unjustly Deteyne &c.
ag ^t		
ffrancis Gunby & Mathew Smith		

And whereupon the said Thomas by Robert Carville his Attorney saith that whereas the said Thomas upon the 11th day of January in the 39th year of the Dominion of Caecilius &c Annoq Domini 1672 at Patuxent in the said County of Calvert did Demise to them the sd ffrancis & Mathew all that his plantation lyeing in the Back Creek in Patuxent aforesayd with all houses Edifices Orchards gardens Tobacco howses & other appurtenances to the said plantation belonging or in any wise appteining to have & to occupy to them the sd ffrancis & Mathew & their assignes from the sd 11th day of January in the yeare aforesayd to the End and Terme of Seaven yeares from thence next following fully to be Compleate & Ended Rendring therefore yearly during the said Terme to him the sd Thomas and his assignes the sume of 2000^l of good sound Tobacco and Casque to be pd upon the 10th day of October in Every yeare By vertu of w^{ch} Demise the afd ffrancis Gunby & Mathew Smith upon the Twelveth day of January afd in the yeare aforesayd into and upon the plantation afd wth the appurtenances did Enter and were & yet are thereof possessed, and the said sume of six thowsand pounds of Tobacco upon the 10th day of Octob^r in y^e 41th yeare of y^e sd Caecilius Annoq Domini 1672 for three yeares Rent then due were behinde & unpaid and as yet are behinde and unpaid by w^{ch} an accōn Did accrue to the aforesayd Thomas Gannt to Require & have of them the said ffrancis & Mathew the aforesd six Thowsand pounds of Tobacco, yet the aforesd ffrancis & Mathew although often Required the afd 6000^l Tob to him the sd Thomas have not payd and as yet Doe Deny and Refuse to pay the same whereupon the said Thomas saith he is

p. 142 Damified and hath losse to the vallue of Eight Thowsand pounds of Tobacco and thereupon he bringeth his suite.

And the said ffrancis & Mathew by Kenelm Chiseldyne their Attorney Come & Defend the force & Injury when &c & pray liberty of speaking thereunto untill the first day of the next Provincial Co^{rt} and the same day is given to both ptyes.

At w^{ch} said Day that is to say the 10th day of ffebruary in the 42th yeare of the Dominion of Caecilius &c Annoq Domini 1673. Came the said Thomas Gannt by Robert Carville his Attorney and offered himself ag^t y^e sd ffrancis & Mathew of and upon y^e p^rmisses and the said Mathew appeared not but made Default but the said