

indebted into the Said Humphry the sume of 4044^l of good Sound well conditioned tobacco in caske to be paid upon all demands and upon his the said Thomas Gerards Owne proper plantation either at Mathiotack in Virginia or Mattapeny in Maryland cleare of all Charge and impost and to the Said payment well and truly to be made the said Thomas did bind himself his heirs executors and assignes Yet notwithstanding the aforesaid Thomas in his life time and the said John and Rose after the death of the Said Thomas although often thereunto required the aforesaid Summe of 4044^l of tobacco have not rendred to him the Said Humphrey but the Same to render to him have denyed and the aforesaid John & Rose the Same to him to render doe as yet deny and unjustly deteine whereupon he Saith he is dampnified and hath losse to the value of seven thousand pounds of tobacco and thereupon he bringeth his Suite

Liber M M

p. 223

Now here at this day to witt the Said 12th day of May in the yeare aforesaid the Same Sheriff maketh returne as formerly that the Said John and Rose are not found in his Bailiwick whereupon the Said Humphry prayeth an attachment against the goods and chattells of the Said Thomas Gerard deceased according to act of Assembly in that case made and provided and it is granted unto him by the Court here.

Pope Alvey }
 ag^t } the def^t by Kenelm Cheseldyn his Attorney appears
 John Sanders } and imparles untill next Court.

Daniel Jenifer }
 ag^t } the def^t appeare by George Parker their
 Jn^o Cheyney et ux adm^{rs} } Attorney and imparle untill next Court
 Henry Hough }

Daniel Jenifer }
 ag^t } the def^t by Thomas Bland his Attorney appears and
 John Pott } imparles untill next Court.

Benjamin Ruzel }
 ag^t } the def^t appears by Robert Carvile his Attorney
 Thomas Witter } and imparles untill next Court

ffrancis Gunby }
 ag^t } It was Comanded the Sheriff of S^t Maries County
 George Haynes } as formerly it was comanded him that he take
 George Haynes if &c and him Safe Keepe So that
 he have his body here to witt the twelfth day of
 May in the 42th yeare &c to answer unto ffrancis
 Gunby in a plea that he render unto him fifteen hun-
 dred pounds of tobacco which he oweth and un-
 justly deteineth

And whereupon the said ffrancis Gunby by George Thompson his Attorney Sayes that whereas the aforesaid George Haynes the tenth