

Liber M M force and virtue as wittnes Our hands & Seales the day & yeare
 abovementioned Which being read & heard the said Jeremiah & John
 Say nothing in barr or avoidance of the action aforesaid of him the
 said Edward

Therefore it is this day to witt the foure & twentieth day of No-
 vember in the 44th yeare of the Dominion of Caecilius &^c Considered
 by the Court here that the said Edward Roe recover against the said
 Jeremiah Eaton & John Barke aswell the said summe of five thou-
 sand eight hundred Seventy foure pounds of tobacco the debt afore-
 said as also the summe of five hundred ninty two pounds of tobacco
 for his costs & charges in that behalfe laid Out & expended and the
 said Jeremiah and John in mercy.

James Nuthall } Richard Bayley late of Calvert County was attached
 ag^t } to answer unto James Nuthall in a plea of trespas
 Richard Bayley } upon the case.

And whereupon the said James Nuthall by Kenelm Cheseldyn his
 Attorney complaineth that whereas the said Richard Bayley the two
 & twentieth day of December in the yeare One thousand six hundred
 seventy three stood indebted unto the said James Nuthall the summe
 of fifteen hundred & fifty pounds of tobacco for One thousand
 pounds of porke sold & delivered unto him the said Richard and also
 the summe of three hundred sixty five pounds of tobacco for Six
 Cow & steere hides and One doeskin sold and delivered at the same
 time which said summes of fifteen hundred & fifty pounds of tobacco
 and three hundred sixty five pounds of tobacco in the whole amount
 to the sume of nineteene hundred & fifteen pounds of tobacco In con-
 sideration whereof the said Richard did assume upon himselfe & to
 the said James did faithfully promise that he the said Richard the
 said sume of nineteen hundred & fifteen pounds of tobacco to him
 the said James when thereunto required to him the said James would
 well & truly content & pay Notwithstanding which the said Richard
 the said summe of nineteen hundred & fiftene pounds of tobacco to
 him the said James according to his promise hath not paid though
 often thereunto required but the same to pay hitherto hath & Still
 doth deny to the damage of the said James two thousand five hun-
 dred pounds of tobacco And thereupon he bringeth his suite.

p. 574 And the said Richard Bayley by Robert Ridgely his Attorney com-
 eth and defendeth the force and injury when &c and the said Richard
 saith that as to fiftene hundred & fifty pounds of tobacco part of
 the Said nineteene hundred & fiftene pounds of tobacco which the
 said James hath above imposed upon him the said Richard saith that
 the said fiftene hundred & fifty pounds of tobacco to him the said
 James he hath paid by the hands of Thomas Sprigg and this he is
 ready to averre whereupon he prayes judgment if the said James his
 action aforesaid for the same ought to have And as to three hun-