

nified & hath losse to the value of ten thousand pounds of tobacco Liber N N  
& thereupon he bringeth his suite

11<sup>th</sup> December 1675

To John Currer Tenant in possession of the p<sup>r</sup>misses abovementioned.

Unless the Tenant in possession or they under whom he claimes doe the next Provinciaall Court appeare to this declaration & make him or themselves defendants thereunto and by rule of Court confesse the lease entry & ejectment & insist only upon the title the defendant in this declaration will confesse judgment & possession will be delivered accordingly to the plaintiff.

And the said Isaac Winchester by George Parker his Attorney cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the next Provinciaall Court and it is granted him the same day is given to both parties.

And in the same cause it was Ordered by the Consent of Robert Carville Attorney for the plaintiff and George Parker Attorney for John Currer that the said John Currer should be admitted defendant and that he forthwith appeare & receive & declaration & plead to it the Generall issue and at the tryall to be thereupon had the said John Currer shall appeare in his proper person or by his Attorney and shall confesse lease entry & ejectment or that in default thereof judgment shall be entred against the said defendant Winchester the casuall Ejector but all further prosecution against him shall cease untill the said John Currer shall make default in any of the premisses. And it is further, Ordered by the Court by the consent aforesaid that the said John Currer shall not take any advantage against the plaintiff for not prosecuteing upon the tryall occasioned by Such default but that the said John Currer shall pay to the plaintiff the costs by this Court to be taxed in this cause And it is further Ordered that the Lessor to the plaintiff shall be Charged with the payment of the costs to the defendant if any be adjudged to him.

Afterwards to witt the ninth day of December in the Second yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doñi 1676 The Court being fully satisfied by the Oath of the said Thomas Marsh Lessor to the plaintiff that upon the twelfth day of April last past he went upon the abovementioned land and mett with the said John Currer then Tenant in possession of the premisses & then and there delivered him a copy of the abovesaid declaration & ejectment in the presence of Edward Roe & his wife & Charles Bancks, and for that the said John Currer hath not pleaded thereunto the plaintiff Attorney prayeth that judgment may passe against the defendant and the said defendant pay such costs to the plaintiff as by the Court shall be adjudged him. Whereupon it is considered by the Court here that the said Thomas Marsh his possession of the aforesaid three hundred & fifty acres of land called Cabbin Neck with the