

Liber N N occasioned by the trespas aforesaid as also the summe of five hundred thirty Six pounds of tobacco costs of suite.

Patrick Sulivant } John Desjardins late of Cecil County was suñ-
 ag^t } oned to answer unto Patrick Sulivant Ex^r of the
 John Dejardins } last will & Testament of John Nevill deceased of a
 plea that he render unto him his reasonable ac-
 count of the time wherein he was the receivour of the goods &
 tobacco of him the said John Nevill in his life time which to him to
 have made he ought &c.

And whereupon the said Patrick by Mathew Warde his Attorney complaineth that whereas the said John Desjardins was the receiver of the goods & tobacco of him the said Jn^o Nevill in his life time from the tenth day of October 1672 untill the twentieth day of April in the yeare 1673 & by the same time did receive of the tobacco due to the said John Nevill in his life time by the hands of Henry Mitchell the full summe of eleaven thousand eight hundred pounds of tobacco to render a reasonable account thereof to him the said John Nevill in his life time when he should be thereunto required Neverthelesse the said John Desjardins although often required hath not yet rendred his reasonable accompt aforesaid to him the said John Nevill in his life time, nor to the s^d Patrick Executor of the Said John since his death but hitherto hath denyed & as yet doth deny to render unto him the same Whereupon he saith he is dampnified & hath losse to the value of foure thousand pounds of tobacco & thereupon he bringeth his suite And the said Patrick bringeth here into Court the will of the said John Nevill with the probate thereof.

And the aforesaid John Desjardins by George Parker his Attorney cometh and defendeth the force & injury when &c and Saith he was never receiver of the goods & tobacco of him the aforesaid John Nevill in the declaration Specified or an account thereof to render in manner & forme as the aforesaid Patrick above against him hath declared & of this he putts himselfe upon the Country & the plaintiff likewise Whereupon Comānd is given to the Sheriff that he cause to come here twelve &c. Now here at this day to wit the eight & twentieth day of April 1677 Came the partyes by their said Attornyes & the jurors of that jury also came to wit Edward English Marmaduke Semme Samuel Raspin Thomas Russell John Darby John Barnes John Waghop Jn^o Hyland ffrancis Swinfen James Rumsey Edward Parish & Michael Miller who being impannelled Summoned & Sworne to say the truth in the premisses upon their Oathes doe say Wee find for the defendant with costs of Suite Wherefore it is granted by the Court here that the said John Desjardins recover against the Said Patrick as Execut^r as aforesd the summe of _____ pounds of tobacco Costs of suite & the said Patrick as to his plaint aforesaid goe thereof without day.