

Liber N N Ridgely his Attorney complaineth that whereas the said Marmaduke accompted with the said Thomas the tenth day of March 1676 & upon making up all accompts between the said Marmaduke & the said Thomas the said Marmaduke was found in arreare & indebted to the said Thomas the summe of eleaven thousand nine hundred fifty six pounds of tobacco In consideracōn whereof the said Marmaduke did assume upon himselfe & to the said Thomas did faithfully promise that he the said Marmaduke him the said Thomas the said summe of eleaven thousand nine hundred fifty Six pounds of tobacco when thereunto required would well & truly content & pay Notwithstanding which the said Marmaduke his promise aforesaid so as aforesaid made not regarding but deviseing & fraudulently intending him the said Thomas of the said summe of eleaven thousand nine hundred fifty & six pounds of tobacco to deceive & defraud the said summe of eleaven thousand nine hundred fifty Six pounds of tobacco to him the said Thomas though often thereunto required hath not paid according to his promise but the same to pay hath denyed & as yet doth deny To the damage of the said Thomas fifteen thousand pounds of tobacco & thereupon he produceth his suite.

Now here at this day to wit the Six & twentieth day of April 1677 came the Said Marmaduke in his proper person & Saith nothing in barr or avoidance of the action aforesaid of him the said Thomas for that he oweth unto the said Thomas the said summe of eleaven thousand nine hundred fifty Six pounds of tobacco whereupon the said Thomas remaineth against the said Marmaduke thereof undefended whereupon it is granted by the Court here that the said Thomas recover against the said Marmaduke aswell the summe of eleaven thousand nine hundred fifty Six pounds of tobacco damages occasioned by the trespass aforesaid as also five hundred twenty eight pounds of tobacco cost of suite but so as execution thereof Stay untill the tenth day of October next.

Thomas Notley Esqꝫ	} W <sup>m</sup> Rosewell late of s <sup>t</sup> Maries County Gent
ag <sup>t</sup>	
W <sup>m</sup> Rosewell	} was attached to answer unto The Hon <sup>ble</sup>
	} Thomas Notley Esqꝫ of a plea of trespass upon
	} the case

And whereupon the said Thomas by Robert Ridgely his Attorney Saith that whereas the Said Thomas accompted with the said W<sup>m</sup> the sixth day of April 1677 for divers goods and merchandizes by him the said W<sup>m</sup> before that time bought & received of the said Thomas & upon the ballance of the said accompt there was found remaineing due to the sd Thomas from the said W<sup>m</sup> the summe of Eighteen thousand & ten pounds of tobacco In consideration whereof the said W<sup>m</sup> did assume upon himselfe & to the said Thomas did faithfully promise that he the said W<sup>m</sup> the said summe of eighteen thousand & ten pounds of tobacco to him the said Thomas when