

the fifth day of October then next following Came the said John Rousby in his proper person but the said W^m Combes and Elizabeth his wife and Mary Roe came not but made default whereupon it is granted by the Court here That the said John Rousby his possession of the Said Messuage Six hundred acres of Land in Tredavon Creeke called Plymhimmon in Talbott County aforesaid Ought to have Whereupon the said John Rousby prayed his Lopps writ of Habere facias possessionem to the Sheriff of Talbott County to be directed, and also a writ of enquiry of damages and they are granted him Liber N N

Kenelm Cheseldyn ag ^t Edward English adm ^r Roger Thorpe	}	Edward English administrator of the goods and Chattells of Roger Thorpe deceased was attached to answer unto Kenelm Cheseldyn Gent One of the Attornyes of this Court according to the libertyes and priviledges &c allowed in a plea that he render unto him the full summe and just quantity of Eight hundred pounds of good sound merchantable tobacco and caske which from him he unjustly deteineth
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And whereupon the said Kenelm in his proper person Saith that whereas the said Roger in his life time to wit the nine & twentieth day of May Anno Domini One thousand Six hundred Seventy Six by his certaine writeing Obligatory Sealed with the seale of him the said Roger and here in Court produced whose date is the day and yeare abovesaid did acknowledge himselfe to owe and be truly indebted unto the Said Kenelm Cheseldyn in the full summe and just quantity of Eight hundred pounds of good sound merchantable tobacco in caske to be paid to the said Kenelm Cheseldyn or to his certaine Attorney his executors administrators or assignes upon the tenth day of October next ensueing the date thereof in Some convenient place in Cecil County To which payment well and truly to be made & done the said Roger did bind himselfe his heirs executors & administrat^{rs} firmly by those presents. Yet not withstanding the said Roger in his life time nor the said Edward adm^r of the goods & chattells of the said Roger since his death the said Summe of Eight hundred pounds of tobacco according to the tenor of the said bill hath not paid though often thereunto required but the same to pay hath hitherto denied & still doth deny Whereupon the said Kenelm saith he is dampnified and hath losse to the value of sixteene hundred pounds of tobacco And thereupon he bringeth his suite. p. 379

And the said Edward English by Robert Ridgely his Attorney cometh and defendeth the force and injury when &c and prayeth liberty to imparle hereunto untill the next Provinciaall Court and it is granted him the same day is given to the said Kenelm Cheseldyn.

Att which said next Court to wit the fifth day of October Anno Domini One thousand six hundred Seventy Seven Came the said