

well the said sume of seven hundred fifty foure pounds of tobacco the remainder of the debt aforesaid As also the sume of twelve hundred thirty & six pounds of tobacco costs of suite Liber N N

Thomas Marsh }
 ag^t } Unlessse the Defend^t appeare next Court, the Sher-
 Richard Baily } iffie of Talbott County amerced.

Richard Ambrose }
 ag^t } This action abates, the plaintiffe being dead.
 John Allen }

Peter Watts Ex^r } John Evans late of S^t Maryes County planter was
 Robert Cager } Attached to Answer unto Peter Watts Ex^r of the
 ag^t } last Will & testam^t of Robert Cager deceased in a
 John Evans } plea of trespas upon the case.

And whereupon the said Peter by Kenelm Cheseldyn his Attorney complaineth, that whereas the said John Evans had obtained leave for to make a crop of Corne & tobacco att the plantacon of the said Robert Cager in his life tyme, the said John the twenty sixth day of March in the yeare of our Lord one thousand six hundred seventy foure, in consideracōn that the said Robert Cager att the speciall instance & request of him the said John would receive him the said John his wife & one Negro man into the house of him the said Robert, & finde them accomodacon of meate & drinke for the tyme that he the said John his wife & Negro man should so remaine att the house of him the said Robert, the said John did assume upon himselfe & to the said Robert did faithfully promise that he the said John would pay unto him the said Robert for the same what he should deserve And the said Peter in fact saith, that the said Robert did find the said John his wife & nego man sufficient meat & drinke att the house of him the said Robert from the said twenty sixth day of March in the yeare aforesaid untill the twenty sixth day of Novemb^r in the same yeare being in the whole the space of Eight months, & that for the same he did well deserve the sume of three hundred pounds of tobacco p month, in the whole the sume of two thousand foure hundred pounds of tobacco Notwithstanding which the said John the said sume of two thousand foure hundred pounds of tobacco to him the said Robert in his life tyme hath not paid, nor to the said Peter since his death Ex^r of the last will & testament of the said Robert hath not paid, but though often required the same to pay hitherto hath & still doth deny to pay to the damage of the said Peter three thousand pounds of tobacco, & thereupon he bringeth his suite. And the said Peter bringeth here in Court the letters Testamentory to him granted, that itt may appeare to the Court here that he is Ex^r of the last Will & testament of the said Robert, & thereupon to have Administracon. p. 431