

Nowhere att this day to witt the three & twentieth day of february in the third yeare of the Dominion of Charles Lord Baltemore & Annoq̄ Doni 1677. came the said W^m Gittings by his Attorney aforesaid, & offered himselfe against the said Richard ffenwick in the plea aforesaid, but the said Richard came not but made default, Whereupon itt is granted by the Court here, that the said W^m Gittings recover against the Estate of the said Cuthbert ffenwick the sume of Eight thousand three hundred fifty two pounds of tobacco for the Value of the Goods Chattels & Cattle aforesaid And also seven hundred & foure pounds of tobacco costs of suite Liber N N

Edward Tarleton } James Lewis late of S^t Maryes County planter
 ag^t } otherwise called James Lewis of S^t Michaels Hun-
 James Lewis } dred in the County of S^t Maryes was Sumoned to
 Answer unto Edward Tarleton of a plea that he
 render unto him the full & just sume or quantity of Sixteene hundred pounds of good sound & M^rchantable tobacco & caske w^{ch} to him he oweth & unjustly detaineth

And whereupon the said Edward by Robert Ridgely his Attorney saith, that whereas the said James the sixteenth day of January One thousand six hundred seventy foure by his certaine bill Obligatory sealed with the Seale of him the said James & here in Court produced, whose date is the day & yeare aforesaid, did acknowledge himselfe to be holden & firmly bound unto the said Edward in the full & just Sume or quantity of sixteene hundred pounds of good M^rchantable tobacco in caske, to pay or cause to be paid to him or to his heyres Ex^{rs} Adm^{rs} or to his certaine Attorney to be paid in some convenient place in the Hundred aforesaid att or upon the tenth day of Octob^r next ensueing the date thereof, To the which payment well & truely to be made the said James did binde himselfe his heyres Ex^{rs} Adm^{rs} or assignes firmly by those p^rsents Notwithstanding which the aforesaid James Lewis the said sume Of sixteen hundred pounds of tobacco to him the said Edward according to the tenor of the said writing obligatory Although often thereunto required hath not paid, but the same to pay hath denyed & as yet doth deny, whereupon the said Edward saith he is damnified & hath losse to the Value of two thousand pounds of tobacco, & thereupon he bringeth his suite. p. 452

And the said James Lewis by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty of speakeing hereunto untill next Court, the same day is given to both parties.

Now here att this day to witt the three & twentieth day of febr^y in the third yeare of the Dominion of Charles Lord Baltemore & Annoq̄ Doni 1677. came the said parties by their Attorneys aforesaid And the said James Lewis saith nothing in barr or avoidance of