

Liber N N And whereupon the said Garret by Robert Carvile his Attorney saith, that whereas the said John Blomfeild upon the third day of August in the yeare of our Lord one thousand six hundred seventy seven was justly indebted unto the said Garret in the sume of foure thousand six hundred fifty eight pounds of tobacco for divers Goods Wares & M^rchandizes to him the said John by him the said Garret att divers dayes & tymes from the third day of Decemb^r in the yeare of our Lord one thousand six hundred seventy three till the third day of August aforesaid sould & delivered, a particular whereof is hereunto annexed He the said John being so indebted did in consideracon thereof assume upon himselfe & to the said Garret faithfully promise, that he the said John the said sume of four thousand six hundred fifty eight pounds of tobacco to him the said Garret when he should lawfully thereunto required would well & truly content & satisfie Yet notwithstanding the said John his promise & assumpcon aforesaid little regarding, but deviseing & fraudulently intending him the said Garret in that behalfe craftily & subtly to defraud & deceive, the said sume of foure thousand six hundred fifty eight pounds of tobacco to him the said Garret though often thereunto requested hath not paid or satisfied, but the same to pay & satisfie hath hitherto denyed & refused & still doth deny & refuse to pay the same to the damage of the said Garret Eight thousand p^ds of tobacco & thereupon he bringeth his suite.

p. 564 And the said John Blomfeild in his proper person comes & defends the force & injury when &c and prayeth libertie to imparle hereunto untill next Court & itt is granted unto him, the same day is given to the plaintiffe also.

Now here att this day to witt the fifteenth day of June in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq^{ue} Doni 1678. came the said John Blomfeild in his proper person & saith, that the said Garret his action aforesaid ought not to have, for that he saith, that whereas by an Act of Assembly begun & held att the City of S^t Maryes the thirteenth day of April in the yeare of our Lord One thousand six hundred sixty nine & by severall subsequent Arts revived & continued & now standing in force Entituled an Act for lymitacon of certaine actions for avoiding suites att Law, itt is amongst other things Enacted, that all actions of trespas, quare clausum fregit, all actions of trespas detinue, sur trover & replevin for takeing away Goods & Chattells, all actions of accompt contract debt book & upon the case (other then such accompts as concerne the trade of M^rchandize between M^rchant & M^rchant their ffactors & Servants which are not resident wthin this Province) all actions of debt for lending or contract without specialty, all actions of debt for arrearages of rent, & all actions of assault menace battery wounding & false imprisonm^t or any of them which shall be sued or brought by any person or persons within this Province att any time after the