

Liber N N

Whereupon the said Elizabeth by George Thompson her Attorney Saith that the said John at divers dayes & times vizt from the tenth day of february in the yeare of Our Lord One thousand six hundred Seventy three untill the fiftenth day of the said month & yeare had and received of him the Said Charles at the house of the Said Charles at the City of S<sup>t</sup> Maries in the County of s<sup>t</sup> Maries necessary accomodations a particular whereof is here in Court produced the which in the whole amounteth to the Summe of Eight hundred forty two pounds of tobacco In consideration whereof the Said John assumed upon himselfe and to the said Charles faithfully did promise that he the said John the said summe of Eight hundred forty two pounds of tobacco as aforesaid unto him the said Charles when thereunto required would well and truly content & pay notwithstanding the said John the Said Summe of Eighth hundred forty two pounds of tobacco as aforesaid according to his promise though often thereunto required hath not paid unto him the said Charles in his life time nor to the Said Elizabeth after the death of the said Charles hath not rendered but the same to them to render content & pay hath refused and the Same to the Said Elizabeth to pay hitherto hath & Still doth altogether deny & refuse Whereupon the said Elizabeth saith she is dampnified & hath damage to the value of fifteen pounds of tobacco And thereupon she brings her action

p. 370 And the said Elizabeth brings here into Court the Letters Testamentary of the said Charles by which it is Sufficiently manifest to the Court here the aforesaid Elizabeth to be the Executrix of the aforesaid Charles of his last Will & Testament aforesaid and thereupon to have administration.

And the Said John by Robert Carvile his Attorney cometh & defendeth the force and injury when &c and Saith he did not assume upon himselfe & to the said Charles make such promise as the said Elizabeth hath above imposed upon him & of this he putts himselfe upon the Country. Whereupon the Said Elizabeth by her Attorney prayed day untill the next Court & it is granted her the same day is given to the Said John Allen.

Now here at this day to witt the Eighth day of October in the Secōnd yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doñ One thousand six hundred Seventy Seaven Came the Said Elizabeth by her Attorney but the said John Allen came not but made default. Whereupon it is granted by the Court here That the Said Elizabeth recover against the said John Allen aswell the summe of Eight hundred forty two pounds of tobacco damages occasioned by the trespas aforesaid as also the Summe of \_\_\_\_\_ pounds of tobacco costs of suite.