

Liber N N & Seven pounds of tobacco & cask which to him he oweth & unjustly detaineth

And whereupon the said Abraham by Christopher Rousby his Attorney saith, that whereas the said Jonathan the fifth day of April One thousand six hundred Seventy two by his certaine writeing obligatory Sealed with the Seale of him the said Jonathan here in Court produced whose date is the same day & yeare abovesaid did binde himselfe his heyres Exec^{rs} Adm^{rs} or assignes to pay or cause to be paid unto the said Abraham Heyman or his assignes the full & just Summe of Seven thousand foure hundred thirty & seven pounds of good sound M^cchantable tobacco & cask att some convenient place in Miles or Wye River att or upon the tenth day of October next ensuing the date thereof Yet notwthstanding the said Jonathan the said Summe of Seven thousand foure hundred thirty seven pounds of tobacco & caske unto the said Abraham though often thereunto required hath not paid but the same to pay altogether refuseth Whereupon the said Abraham saith he is damnified & hath losse to the Value of Nine thousand pounds of tobacco, & thereupon he bringeth his suite

And the said Jonathan Sibrey by Robert Carville his Attorney cometh & defendeth the force & injury when &c and saith, that as to foure thousand Eight hundred fifty five pounds of tobacco part of the debt in the declaracōn mencōned he hath satisfied & paid unto the said Abra^m Heyman And as to two thousand five hundred Eighty two pounds of tobacco residue of the debt aforesaid, the same remaines due unto the said Abraham Therefore itt is considered by the Court here this day to witt the seventh day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq^{ue} Doni 1678 That the said Abraham Heyman recover against the said Jonathan Sibrey as well the Summe of two thousand five hundred Eighty two pounds of tobacco residue of the debt aforesaid As also five hundred forty foure p^{ds} of tobacco costs of suite And the Defend^t in mercy &c And the said plaintiff in mercy for his false claime against the said Defend^t for foure thousand Eight hundred fifty five pounds of tobacco part of the debt aforesaid whereof he is above acquitted And the said Defend^t may goe thereof without day

James Mills Ex ^r	}	This action abates, the Defend ^t being dead.
Samuel Boston		
ag ^t		
John Gunn		

James Tyer	}	This action is continued untill next Court
ag ^t		
Tho: Helgar		