

Liber N N Humphrey Davenport makes oath to the following acc^t
 August 1676 lb tob:
 Ralph ffishborne is D^r
 To three journeys to his house & attendance there..... 600.
 To seven glisters att 30th..... 210
 To foure Cordial Julipps..... 150
 To five purges att 30th..... 150
 To foure dosses of Cordial Elect att 30th..... 120

1230

The Court hath ordered that Ralph ffishborne pay unto Humphrey Davenport twelve hundred & thirty pounds of tobacco with costs of suite.

Richd Woolman (sealed)

Philemon ILoyd (sealed)

Anth^o Mayle (sealed)

True copy by me W^m Hemsley Clerke

And afterwards to witt the fourth day of June in the yeare aforesaid att a Provintiall Court held att the City of S^t Maryes before his Lordpps Justices thereunto assigned, came the aforesaid Ralph ffishborne by the said Robert Ridgely his Attorney assigneth for Errors as followeth.

- 1 That in the Record & proces aforesaid, & in the rendring of Judgement aforesaid itt is manifestly erroneus in this, in that itt does not appeare that the said Ralph ffishborne was either Attached or Sumoned to appeare att the said Court of Talbot County to answer the action of the said Humphry Davenport
2. Itt is Erred in this in that itt is said in the Record & proceedings aforesaid, Humphrey Davenport plaintiffe Ralph ffishborne Defend^t in a plea of trespas upon the case And yet the plaintiffe declares against the Defend^t in debt in the detinet
3. Itt is Erred in this, in that itt is said in the Record & proceedings aforesaid that the said Ralph ffishborne stood justly indebted to the said Humphrey twelve hundred & thirty pounds of tobacco, but never alleadges for what the same was, but refers itt to an account ready to be proved, in which said Account the plaintiffe charges the Defend^t for glisters, julipps, purges, cordiall Electuaryes &c and never ascertaines what the same are compounded or made of, by which the Value might haue appeared to the Court or jury to have adjudged the same
4. Itt is Erred in this, in that itt is said that the said Ralph has not paid the said twelve hundred & thirty pounds of Tobacco nor any part of itt, but yet does not alleadge or averr that he ever demanded itt
- 5 Itt is Erred in this, in that there is no plea, no issue joyned, to