

said little regarding, but deviseing & plotting how to defraud & deceive the said Jonathan & to lay the burthen of the said Executions upon the said Jonathan, & to defraud him of his due fees for the said Executions, he the said Henry without the comānd of the said Jonathan the said Joseph before the comeing of the said Court day for Cecil County aforesaid where he would freely & voluntarily did suffer to goe att large & escape, by reason of which Escape the said Jonathan hath bin compelled to pay the said severall Sumes of tobacco aforesaid amounting to the Sumē Of three thousand Eight hundred twenty five pounds of tobacco And of his remedy for the recovery of the said Sumē as also of his fees for the Execucōns aforesaid against the said Joseph Chew to be had hath no meanes, who from the tyme of his Escape aforesaid to places to the said Jonathan unknown did withdraw himselfe & lay hid & altogether obscured to the damage of the said Jonathan six thousand pounds of tobacco and thereupon he bringeth his suite

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And the said Henry by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imple hereunto untill next Provintiall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Sixth day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doni 1679 cometh as well the said Jonathan Sibrey as the said Henry Penington by their Attorneys aforesaid And the said Henry by his said Attorney saith that he did not assume & promise in manner & forme as the said Jonathan above ag<sup>t</sup> him hath declared, & of this he putts himselfe upon the Countrey, & the plaintiffe also. Therefore itt was comānded the Sheriffe of S<sup>t</sup> Maryes County that he cause to come here twelve &c by whom &c and who neither &c to Recognize &c because as well &c which said jurors being Sumōned, the plaintiffe refused to make any further prosecution against the Defend<sup>t</sup> in the plea aforesaid Therefore itt is considered that the said Jonathan Sibery take nothing by his writt, but be in mercy for his false claime And that the said Henry Penington recover against the said Jonathan Sibrey the Sumē of Nine hundred forty three pounds of tobacco for his costs & charges by him about his defence in this behalfe laid out & expended And the said Henry may have thereof Execution

Mary Warde Ex <sup>x</sup> Matthew Warde ag <sup>t</sup> John Quigley	}	John Quigley late of S <sup>t</sup> Maryes County otherwise called John Quigley of S <sup>t</sup> Maryes County gentl was Sumōned to Answer unto Mary Warde Exec <sup>x</sup> of the last Will and testam <sup>t</sup> of Matthew Warde of a plea that he render unto her the Sumē of ffoure hundred pounds of tobacco which from her he unjustly detaineth
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And whereupon the said Mary by Robert Carvile her Attorney