

detaine and the same tobacco hogsheads Did utterly refuse to deliver to the said Barnard and his sarvants or Workemen or any other person on his behalfe, By reason and occasion whereof and for want of the said eight tobacco hogsheads, the workmen and sarvants aforesaid of him the said Barnard Johnson were consteined at that time to desist and fforbeare to strike the aforesaid Cropp of tobacco, and thereby hee the said Barnard Wholly lost the benefitt of the said season, and by occasion of the p<sup>r</sup>misses before hee the said Barnard could provide himselfe of other Tobacco hogsheads ffor the purpose aforesaid, to witt within the space of one moneth from the said twenty fifth day of November aforesaid greate part of the said Cropp of tobacco was by Cattle breaking into one of the said tobacco houses wher the same was hanging, pulled downe wasted & destroyed One other part of the same Cropp of tobacco hanging in the same tobacco house wher the Cattle had before broke in as aforesaid, was by the ffall of the same house w<sup>ch</sup> happened to bee blowne downe on or about the six and twentieth day of Decemb<sup>r</sup> 1678, Lost perished and destroyed, & the Residue of the said Cropp of tobacco being in the said other tobacco house of the said Plantacon, by the burning of the said house w<sup>ch</sup> happened shortly after was utterly lost and Consumed, And soe the said Barnard by reason and occasion of the p<sup>r</sup>misses utterly lost the aforesaid whole Cropp of tobacco soe hanging and being in the aforesaid Tobacco houses on the said twenty fifth day of November aforesaid, consisting of at least, three thousand six hundred pounds of tobacco, By meanes and occasion of w<sup>ch</sup> said Losse soe sustained by the said Barnard as aforesaid hee the said Barnard was totally Disabled in time of shipping while goods were to bee bought to purchase cloathes and things necessary ffor support of himselfe Wife Children and ffamily, and to defray and satisfie his Just debts wherein hee stood obleiged, Whereby the said Barnard saith hee is the worse and hath damage to the vallue of Eight thousand pounds of tobacco, And thereupon hee brings his suite,

p. 125

And the said Elizabeth Letchworth by Robert Carvile her Attorney Cometh and Defendeth the fforce and Injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court and itt is granted unto her, the same day is given to the plantiffe also

Now here att this day to witt the fourteenth day of ffebruary in the ffifth yeare of the Dominion of the right hono<sup>ble</sup> Charles Lord Baltemore &c Annoq<sup>3</sup> Dominj 1679 came the said parties by their Attorneys aforesaid, And the said Elizabeth Letchworth by her said Attorney saith, That she is in noe wise guilty of the premisses above by the said Barnard imposed upon her and of this she putts her selfe upon the Country, & the plantiffe likewise.

Therefore comand is given to the sheriffe of s<sup>t</sup> Maryes County, that hee cause to come here twelve &c, by whome &c. and who neither &c to Recognize &c because aswell &c, On w<sup>ch</sup> said ffourteenth day