

Liber W. C. Desiardins Since his death was Comitted the said sune of three thousand Two hundred pounds of Tobacco & Casq to him the said Archibold Arthur according to the Teno<sup>r</sup> of the Said bill or writeing obligatory Although thereunto often required hath not payd, but the same to pay hath altogether denyed and Refused and Still doe denye & refuse to pay the Same, to the greate damage of him the said Archibold Arthur, whereupon hee saith that hee is damnified and hath Losse to the Vallue of ffive thousand pounds of Tobacco, and thereupon hee bringeth his Suite

p. 233 And the Said Josias and James by Robert Ridgely their Attorney Come and defend the force and injury when &c. and pray Liberty to imparle hereunto untill next Provinciaall Court and It is granted unto them the Same day is given to the plantiffe also:

Afterwards To witt the Eighteenth day of ffebruary in the fffth yeare of the Dominion of The Right hono<sup>ble</sup> Charles Lord Baltemore &c Annoq Domini 1679 came the Said partyes by their Attorneys aforesaid, and the said Josias and James by their Said Attorney Say, That the aforesaid plantiffe his accon aforesaid against them ought not to have, because they say that They have fully administred all and Singuler the goods Chattles & Credits w<sup>ch</sup> were of the said John Desiardines at the time of his death in their hands to bee administred of, nor any goods & Chattles unadministred in their hands had of the deceaseds at the time of the p<sup>ts</sup> suing out the originall writ upon this accon, nor at any time afterwards, and this they are ready to averre, and thereupon Demands Judgm<sup>t</sup> if the aforesaid p<sup>t</sup> his accon aforesaid against them ought to have

And the said Archibold Arthur by his said Attorney saith, That hee by any thing before alleadged ought not to bee debarred from having his accon aforesaid, because hee sayth that they the said Josias Lenham and James Balderston, the day of the Issueing forth the originall writ, of him the S<sup>d</sup> Archibold Arthur had divers goods & Chattles w<sup>ch</sup> were the aforesaid Jn<sup>o</sup> Desiardines at the time of his death in their hands to be administred to the vallue of the aforesaid debt of three thousand Two hundred pounds of Tobacco. Whereby they Were able to satisfy him the same debt, and this hee prayeth may bee Enquired of by the Country. and the s<sup>d</sup> defend<sup>ts</sup> Likewise, **Therefore** It is Comanded 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 as well &c.

On w<sup>ch</sup> said ffourteenth day of ffebruary in the yeare aforesaid Came the said partyes by their Attorneys aforesaid, and the Juro<sup>rs</sup> impannelled being called Likewise came. To witt, Robert Ellis William Thomas, Henry Exon, James Veitch, Thomas Beale, Sam<sup>th</sup> Dobson William Boydon, Bernard Johnson, Thomas Allanson, Edward Sise, Gilbert Turberville & Jn<sup>o</sup> Richardson who being Elected Tried and Sworne to say the truth in the p<sup>r</sup>misses Upon their oaths