

same to pay hath denyed & still doth denye, Whereupon the said Thomas sayth that he is Damned and hath Losse to the Vallue of ffoure Thousand pounds of Tobacco and thereupon he bringeth his suite Liber W. C.

**And** the said Garret Vanswearingen by Robert Carvile his Attorney cometh & defendeth the force and Injury when &c and Prayeth Liberty to Imparle hereunto untill next Provinciaall Court and it is granted unto him the same Day is given to the plt likewise

**Now** here at this Day to wit the Eighteenth day of November in the sixth yeare of the Dominion of the R<sup>tt</sup> hono<sup>ble</sup> Charles Lord Baltemore &c<sup>a</sup> Annoq̄ Doni. 1681 Came the said partyes by their Attorneys aforesaid, & the said Garret Vanswearingen by his said Attorney prayeth Judgment of the writ aforesaid w<sup>ch</sup> bears Date the Third day of October 1681 & was Returnable the fourth day of the same Month, and it appeareth in and by the Declaracōn of the said Thomas that the Two thousand one hundred and Twelve pounds of Tobacco in the said writ mentioned was not payable untill the Tenth day of the same Moneth of October, Soe that the Originall writ of the said Thomas was purchased before the said Thomas had any Cause of accōn against the said Gerrard and this he is ready to verify, Whereupon he prayes Judgment of the said writ and that the same may abate & **Whereupon** the said plt refuseth to make any further prosecucōn against the said Deft in the plea aforesaid, **Therefore** Itt is Considered that the aforesaid writ of the aforesaid plt in forme aforesaid obtained be abated & that the said plt take nothing thereby but be in mercy for his false claime thereupon, and that the said Garret Vanswearingen goe thereof without day, and that the said Garret Vanswearingen Recover against the said Thomas Sprigg the Sume of seaven hundred thirty one pounds of tobacco for his Costs and Charges by him about his Defence in this behalfe Laid out & Expended & the said Garret may have thereof Execucōn

William Drope & Thomas Ellies ag <sup>t</sup> John Barnes	}	John Barnes late of Dorchest <sup>r</sup> County Inn holder Otherwise Called John Barnes of the City of s <sup>t</sup> Maryes in the Province of	p. 480
---	---	---	--------

Maryland was sumoned to answeare unto William Drope and Thomas Ellies of London Marchants of a plea that he Render unto them the full sume and just Quantity of Three thousand Nine hundred and seaventeene pounds of good Sound Marchantable Tobacco & Caske w<sup>ch</sup> to them he oweth & unjustly detaineth &c:

**And** whereupon the said William Drope and Thomas Ellies by George Parker their Attorney say That Whereas the said John Barnes Upon the ffoure and Twentyeth day of July Anno Doni. One thousand six hundred seaventy eight By his Certaine bill or writing obligatory sealed with the seale of him the said John Barnes, and