

here untill the next Court and it is granted unto him the Same day is given to the plantiffe Likewise.

Att which Said next Court (to witt) the 26th day of January Annoque Domini 1696 [1697] Came the aforesaid partyes by their Attorneys aforesaid and the Said William Harbert prayeth that the Said Charles Tracey to his decleration aforesaid may Answer etc.

And now here at this day Came the Said Charles Tracey by James Cranford his Attorney and further defendeth the force and Injury when etc. And Saith that he Cannot gainsay the Action of the Said William Herbert nor but the Said Six pounds Sterling lawfull money of England is due to the Said William Herbert nor but he oweth the Said Six pounds Sterling Lawfull money of England to the Said William Herbert in manner and forme as the Said William Herbert against him hath Declared etc.

Therefore it is Considered that the Said William Herbert Recover against the Said Charles Tracey as well the Sume of Six pounds of Sterling Lawfull mony of England his Debt for Damages aforesaid together with twenty foure Shillings Sterling to the Said William Herbert for one year Intrest of the Said Six pounds Sterling According to Act of Asembly in Such Cases made and provided as alsoe the Sume of three hundred fourty four pounds of tobaccoe to the Said William Herbert at his Request for his Cost and Charges in the Said Suite laid out and Expended And by the Court here Adjudged etc. And the Said Charles Tracey in mercy etc.

Robert Lyles plantiffe: David Small Administrator Cooper Defendant.

Prince Georges County Ss. David Small late of Prince Georges County gentleman Administrator of the goods and Chattles of William Cooper Late of Prince Georges County gentleman Deceased was Attached to Answer unto Robert Lyles of a plea of trespass upon the Case etc.

And whereupon the Said Robert by Cleborn Lomax his Attorney Complaineth that whereas the Said William in his life time the 25th day of August in the yeare of our Lord 1696 at Charles Towne within the Jurisdiction of this Court was Indebted unto the Said Robert in the Sume of thirteen hundred and twelve pounds one halfe pound of tobaccoe being for four months one halfe month use of the Said Roberts Roome Called the new Roome to Lodge in together with his the Said Williams Dyett washing and horse pasture dureing the Said four Months one halfe month before that time had and Received of the Said Robert as by a pertickeler Account thereof and here in Court produced Relation being thereunto had may more at large Appeare And the Said William to the Said Robert in manner aforesaid being Indebted the Said William inconsideration in his life time did Assume upon himselfe and to the Said Robert then and there faithfully promise that he the Said William the Said Sume of 1312 1/2 lbs. of tobaccoe to the Said Robert when he Should be thereunto Requested would well and truly Content and pay Nevertheless the Said William in his life time his promise and Assumption aforesaid made little Regarding but minding and fraudulently intending the Said Robert in this behalfe Craftily and Subtily to [135] Deceive and Defraud the Said William in his lifetime and the Said David Since his death to whome Administration of the goods and Chattles which were of the Said William at the time of his death and Since his decease by due Course of Law Legally Comitted the Said Sume of 1313 1/2 lbs. of tobaccoe or any part thereof to the Said Robert hath