the worse & hath lost to the Value of three thousand pounds
of tobacco & whereupon they bring their Suite vnd the said
Richard & George produce here in Court their Letters
whereby it may appeare to the Court here that they are Ex-
ecutors of the last Will & Testam: of the said Charles Gosfright as
aforesaid & right have of Administracon ~

And the said Michael Tancy by Charles Bolsler
his Attorney cometh & defendeth the force and injury when &
prayeth liberty to imparle hereunto untill next Parliament
Court & it is granted unto him, the same day is given to the
plaintiffes also ~

Now here at this day to wit the thirteenth day of
October in the fourth yeare of the Dominion of Charles Calvert
Lord Baltimore & Avnagy Dowd 1679 came the said parties by their Attorneys aforesaid
And the said Michael by his said Attorney saith, that he did not
assume & promise in manner & form as the plaintiffes
have above declared against him And of this he puts
himselfe upon the Country And the plaintiffes likewise
Therefore it is commanded the Sheriffe of St Mary's County that
he cause to come here twelve & by whom & whether & to recognize
& because as well & on which said thirteenth day of October
came the said parties by their Attorneys aforesaid And the
jurors impannelled being called likewise came to wit
Edward English, Wm Collins, John Hastewood, Jacob Solan,
Cornelius Comegys, Richard Baily, Wm Cole, John Affin,
Samuel Goosey, Symon Sprarkling, Emanuel Ratcliffe &
Edward Dorsey, who being Sworne & Charged to say the
truth in the premisses upon their Oathes do say that the
said Michael Tancy did assume & promise in manner & form
as the said plaintiffes have above declared against
them And they assess the damage of the said plaintiffes to
seven thousand five hundred thirty three pounde of tobacco
Therefore it is considered that the said Richard Marsham &
George Singleton late aforesaid recover against the said
Michael Tancy as well the aforesaid sume of seven
thousand five hundred thirty three pounde of tobacco damages
by the jurors aforesaid in form aforesaid assessed as also
one thousand seventy four pounde of tobacco costs of suite by
the Defendt in mercy &c ~

Michael Tancy
ag
Gosfrights Exr

Richard Marsham & George Singleton late of Calvert
County Exrs of the last Will & Testam: of Charles
Gosfright late of Calvert County deceased were attached
to answer unto Michael Tancy of a plea of trespass
upon the case ~

And whereupon the said Michael by Charles Bolsler his
Attorney complaineth, that whereas the said Charles
Gosfright in his life time (that is to say) upon the third
day of November in the yeare of our Lord God One thousand
six hundred & seventy & seven & at severall days and
times since, the said Michael Tancy being an Innholder
at Battle Creeke in Calvert County, in consideracon of
severall liquors & dyetts at & of the hands of him the
said Charles Gosfright & by the hands of divers other persons
all the speciall instance & request of him the said Charles bought

sold & received, & also in consideracon of severall parcells
of tobacco att the request & for the use & ord: of the said Charles
paid unto diverse persons, a particular of all which is here
in Court produced, amounting in the whole to the sume of
foure thousand ninety & foure pounde of tobacco, the said
Charles did assume upon himselfe & to the said Michael did
faithfully promise, that he the said Charles Gosfright within
thereunto required the said sume of foure thousand ninety
foure pounde of tobacco unto the said Michael would well and
truely pay & satisfie And the said Michael in fact saith, that
trusting to the faithfull promise & assumption of him the
said Charles made as aforesaid, did sell & deliver unto him
the said Charles divers other persons all his request
severall liquors & dyetts, & did pay for him severall sumes
of tobacco unto severall persons amounting in the whole to
the sume of foure thousand ninety foure pounde of tobacco
yet the said Charles Gosfright his said promise & assumption
not regarding, but plotting & fraudulently intending him
the said Michael of the said foure thousand ninety foure
pounde of tobacco to defraud, the said Charles in his life
time the said foure thousand ninety foure pounde of tobacco
though often thereunto required hath not paid nor
satisfied, nor the said Richard & George to whom Execution
of the testam: & all & singular the Goods & Chattles rights &
credits which were of the said Charles at the time of his
death since his death have him remitted, but the same
to him to pay hath hitherto denyed & still do deny &
whereupon the said Michael saith he is damnified and
hath losse to the Value of six thousande pounde of tobacco
& therefore he brings his Suite ~

And the said Richard & George by Christopher Rousby
their Attorney come & defend the force & injury when &
prayeth liberty to imparle hereunto untill next Parliament
Court & it is granted unto them the same day is given to
the plaintiffe also ~

Now here at this day to wit the thirteenth day of
October in the fourth yeare of the Dominion of the right Honble
Charles Lord Baltimore & Avnagy Dowd 1679 came the said
parties by their Attorneys aforesaid And the said Richard &
George by their said Attorney say, that the said Charles Gosfright
in his life time did not assume & promise in manner & form
as the said plaintiffe hath above declared And of this they
put themselves upon the Country And the plaintiffe likewise
Therefore it is commanded the Sheriffe of St Mary's County
that he cause to come here twelve & by whom & where & to
testify & to recognize & because as well & on which
said thirteenth day of October & the yeare aforesaid came
the said parties by their Attorneys aforesaid And the jurors
impannelled being called likewise came to wit Edward
English, Wm Collins, John Hastewood, Jacob Solan, Cornelius
Comegys, Richard Baily, Wm Cole, John Affin, Samuel
Goosey, Symon Sprarkling, Emanuel Ratcliffe & Edward Dorsey
who being Sworne & Charged to say the truth in the
premisses upon their Oathes do say, that the said Charles
Gosfright in his life time did assume & promise in manner