and carry away and the grass there lately growing to the value of one thousand pounds of Tobacco with certaine other goods did take up and with their horse did tread downe and consume and other harmes to him did to the great damage of him the said Philip and against the peace &c.

And whereupon the said Philip Lynd by Robert Carvile his Attorney complaineth that whereas the said Henry Hardy upon the 27. day of September in the yeare of our Lord 1682 with force and armes &c. the close of him the said Philip at Pirrowaxon aforesaid in the County of Charles County aforesaid did breake and the fencing of him the said Philip Lynd there and there standing to the value of foure thousand pounds of Tobacco he did pull downe and carry away and the grass there and there growing to the value of one thousand pounds of Tobacco with certaine other (that is to say) with horses open cowes swine and sheepe he did tye up and with their horse did tread downe and consume and other harmes to him did to the great damage of the said Philip and ag. the peace &c. whereupon he saith he is damnified and hath losse to the value of Twelve thousand pounds of Tobacco And therupon he brings his Suite

Ro Carvile

Plegi &c. Ric. Roe
Jo. Doe

And the said Henry by Thomas Burford his Attorney comes and defends the force and injury when &c. and dare the force &c. and whatsoever is against the peace the said Henry saith he is in no wise guilty And of this he puts himselfe upon the Country and dare the said Philip to prove the trespass by the said in his declaration aforesaid supposed the said Henry saith that for anything by the said Philip above against him alledged his action against him ought not to have or maintaine he saith that the place in which the trespass aforesaid is supposed to be done is a parcell of land part of a tract of land called Hardy's purchase at Pirrowaxon aforesaid in Charles County aforesaid wherein the said parts of the land is the freehold of the said Henry and that the fencing in the land in the declaration above mentioned was there standing upon the ground of the said Henry damage feasant doing to the said Henry doth well allow the taking and carrying away of the said effects being upon the freehold of the said Henry and damage feasant doing and the grass there growing with the Cattle above said did take up and with their horse tread downe and consume while the said Henry being upon his ground lawfull for him so to do and this he is ready to verify And therefore prayes judgement if the said Philip his action against him ought to have &c.

Burford

And the said Philip saith that he ought not to be debarred his action aforesaid for anything above alledged for that he saith that the place wherein the aforesaid trespass was committed was and at the time of the committing the said were the freehold of him the said Philip Lynd and not of him the said Henry Hardy and of this he puts himselfe upon the Country — Rebellum Replicando — And the Sheriffe of St. Maries County that he warne the Jurors therefore commanded the Sheriffe of St. Maries County that he warne to come here Twelve &c. by whom &c. and who neither &c. to recognize &c. or thereupon dwell &c. —

Now heere at this day to wit the 22. day of March in the twelfth yeare of the dominion of Charles &c. Anno Dni 1683 came the said parties by their Attorneys aforesaid and the Jurors impannelled being duly called appeared to wit Thomas Kingold Henry Greene Christopher Hunt Richard Royston Thomas Dowdy Robert Brashear Jonathan Gatton Thomas Greene William Smith John Dugan and John Burroughs who being sworne to say the truth in the premisses upon their oaths do say that the said place wherein the trespass was committed do be the freehold of the said Philip Lynd and not of him the

said Henry Hardy Therefore it is considered by the Court here that the said Philip Lynd Recover against the said Henry Hardy his damages by occasion of the trespass aforesaid to the sum of Twelve hundred pounds of Tobacco with the sum of Foure hundred Eight hundred fifty three pounds of Tobacco rest of suite and the Defendant in Mercy &c. —

William Burgess Esq.
ag.
Richard Royston

Maryland } Be it Remembered that Richard Royston late of Talbot County otherwise called Richard Royston of Talbot County in the province of Maryland gent was summoned to answer unto William Burgess of Anne Arundell County Merchant of a plea that he render unto him the full sum and just quantity of Twenty foure thousand pounds of good sound merchantable Tobacco and Cask to contayne the same which he owes and unjustly detayns &c. —

And the said William by Robert Carvile his Attorney saith that whereas the said Richard upon the Thirteenth day of October 1682 at the Ridge in Anne Arundell County by his certaine bond or writing obligatory sealed with the seale of him the said Richard and now in Court produced whose date is the day and yeare above said did confess and acknowledge himselfe to be held and firmly bound unto the said William in the full and just sum of Twenty foure thousand pounds of good sound merchantable Tobacco and Cask to contayne the same to be payd to the said William Yet notwithstanding the said Richard the said sum of Twenty foure thousand pounds of Tobacco to him the said William though often thereunto requested hath not payd or satisfied but the same to pay hath hitherto denyed and still doth denye to pay the same to the damage of the said William 30000. of Tobacco And therupon he brings his Suite &c.

Ro Carvile

Plegi &c. Ric. Roe
Jo. Doe

And the said Richard by his Attorney comes and defends the force and injury when &c. and prayes the reading of the writing aforesaid which is read unto him he also prayes the hearing the condition of the said writing obligatory and it is read unto him in these words The condition of the above written obligation is such that if the above bounden Thomas Vaughan and Richard Royston and either of them or either of their heires Executors Adm.rs or assigns or any of them do and shall well and truly pay or cause to be payd unto the above named William Burgess his certaine Attorney Executors Adm.rs or assigns or any of them the full and just sum of Eleaven thousand Nine hundred Eighty and foure pounds of good sound and merchantable Tobacco and Cask to contayne the same within a mile of some convenient landing place in Anne Arundell County aforesaid at or upon the Tenth day of October which shall be in the yeare of our Lord 1683 next following That then this present obligation to be void and of no effect otherwise to stand and remaine in full force power and vertue. —

Now heere at this day to wit the 25. day of March in the Ninth yeare of the dominion of Charles &c. came the said William by his Attorney aforesaid and offered himselfe against the said Richard Royston in the plea aforesaid and the said Richard Royston being called in court made default whereupon it is considered by the Court here the day and yeare aforementioned That the said William Burgess Recover against the said Richard Royston the sum of Twenty foure thousand pounds of Tobacco the debt above declared for and also the sum of Eight hundred Thirty five pounds of Tobacco rest of suite and the Defendant in Mercy —