ders to and shall stay the aforesaid Judgmt upon the Verdict of the Jury aforesaid — It is therefore Considered by the Justices here that the said William Hill take nothing by his said Writt but be in Mercy for his false clamour &c and that the said Richard Charlton go thereof without day — And it is likewise Considered that the said Richard [illegible] recover against the said William Hill the Summe of pounds of tobacco adjudged him by the Court here for his Costs and charges in this behalfe layd out and expended According to the forme of the Statute. &c

Doynd Lord &c Maryland ss

aff.

Ch Conn Lomax

Cheborne Lomax late of Charles County was attached to answer unto George Plater and Ann his wife Executrix of the last Will & Testament of Robert Doyne dead of a plea of Trespass upon the case./

And whereupon the said George and Ann by William Dent their Attorny complaine that whereas the said Cheborne the fifth day of February in the yeare of our Lord 1660. at Portobacco in Charles County was indebted to the said Robert Doyne in his life time in the Summe of Six thousand One hundred Eighty six pounds of tobacco Cring for formerly tobacco by the said Robert Doyne in his life time payd to one William Dent by the order of one John Pedgett for the proper account and debt of the said Cheborne Lomax And the said Cheborne Lomax to the said Robert Doyne in manner aforesaid being indebted the said Cheborne Lomax in Consideracon thereof did assume upon himselfe and to the said Robert Doyne in manner aforesaid being indebted the said Cheborne Lomax in Consideracon thereof in his life time then and there faithfully promise that he the said Cheborne the said Summe of Six thousand One hundred Eighty six pounds of tobacco to the said Robert when he should by him in that behalfe requested would well and truely content and pay Nevertheless the said Cheborne did promise and assume upon aforesaid and regarding but minding and fraudulently intending him the said Robert in this behalfe craftily & subtilly to deceive & defraud the said Summe of Six thousand One hundred Eighty and six pounds of tobacco

of tobacco or any part thereof to the said Robert in his life time or to the said Ann after his death Executrix of the last Will & Testament of the said Robert aforesaid which she would or to the said George and Ann after the marriage between them had and solemnized or to any or either of them hath not payd although the said Cheborne to do the same by the said Robert in his life time afterwards the day and place aforesaid and by the said Robert aforesaid and by the said George and Ann after the marriage between them had and solemnized that is to say the fifteenth day of February in the yeare of our Lord 1663. at Portobacco aforesaid was requested but hath hitherto refused and doth still refuse to the damage of the said George and Ann of Three thousand pounds of tobacco and thereof they bring their Suite./

And they bring here into Court the Letters Testamentary of the said Robert Doyne together with the Commission of Bye whereby &c. And the said Cheborne by Kenelm Cheseldyn his Attorny comes & defends the force and injury when &c and prays to be hereof licensed to imparle himself until next Court and it is granted unto him the same day is given the pltf likewise

Afterwards to wit the Eleventh day of October Anno Dom 1663. came the said parties by their Attorneys aforesaid and the said Cheborne Sayth the said George Plater and Ann his wife &c of the Last Will and Testament of Robert Doyne dead their action aforesaid against him ought not to have for that he Sayth he did not assume upon himself in manner and forme as the said George and Ann above in their Declaracon hath declared against him and of this he puts himself upon the Country and the plaintiff also./

Command is therefore given the Sheriff of Mary Land County that he cause to come here Twelve &c by whom &c and who neither &c to recognize &c.

And now here at this day to wit the same day and year last mencond came aswell the said parties by their Attorneys aforesaid as the Jurors impannelled being called came to wit — Joshua Guibert, John Hyland Edmund Hensley, Henry Eldridge Joshua Guibert Jasper Hall, Thos Hatch Wm Watson Thos Faulkner, Thomas price Sen Henry Gaylor Sen Thomas Jarrad and Peter Wrapley who being

(Elected