Cum Now here at this Day to wit the third Tuesday of September being the 20th Day of the Same Month Anno Dni 1720 Came into Court the Plaintiff of Cecil County and Exhibited to the Court here that he Delivered a Copy of the Declaration in this Action to the Said Mary Young Tunnant in Possession of the Premises &c — Thereupon the Said plaintiff by his Attorney Comes and Prays that the Said Defendant the Tenant in Possession or the Person Under whom he Claims to the Declaration &c may Answer But the Said John Tunnant nor the Said Mary Young nor any other person or persons whatsoever Appear to the Declaration &c According to the Rule &c but make Default — —

It is therefore Considered by the Justices here the Day and Year last mentioned that the Said Thomas Brough lessee of the Said Joseph Young Brooke against the Said John Tunnant his Sum to Come and Mergine of in and Into the &c two Messuages One Tobacco House two Orchards and two hundred and fifty Acres of Land lying in Cecil County Called Part of Clayfall with the Appurts And that he have thereof his possession against the Said John Tunnant And that the Said John Tunnant be taken &c

T.B. James & Geoagine Frisby Exors of Thomas Frisby — — } To Josiah Richardson

By Vertue of his Lord Ships Writt for Correcting Errors in a Certain Judgment Rendred for the Said Josiah Richardson against the Said James and Geoagine Frisby Exors of Thomas Frisby in Cecil County Court the Justices of the Said County transmit to his Lord Ships Justices of the Prov. Court here the Following Record Viz.

Maryland ss

In the Records of Cecil County amongst Other things is there Contained Viz. — —

At a Court held for Cecil County the Ninth Day of June in the Fourth Year of the Dominion of the Right Honorable Charles Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &c Before his Lordships Justices thereunto Authorized and Appointed and Continued the Fourth Eleventh Twelfth and Thirteenth Days of the Said Month Anno Dni 1719

Comr. Mr Mathias Van Bebber — Mr Gunning Bedford — Present

Josiah Richardson } Exor Geoagine Frisby Exor of Thomas Frisby

Command was given to the Sheriff of Cecil County the Fourteenth Day of August Anno Dni One thousand Seven hundred and Nineteen that he take James Frisby of Cecil County Gent & Geoagine Frisby of Cecil County Gent Admrs of all and Singular the Goods & Chattels Rights and Credits which were of Thomas Frisby late of Cecil County Deceased at the time of his death who Died Intestate as his Said of they should be found in

in his Bailywick And them safe keep so that he have their Bodies before his Lord Ships Justices at the Next Court to be held for Said County to Answer unto Josiah Richardson of a plea of Trespass upon the Case — At which Next Court Viz. the Thirteenth Day of November Anno Dni One thousand Seven hundred and Nineteen the Day of the Return of the Said Writt Came Abel Van Burkelo high Sheriff of the Said County and Made Return thereof Indorsed in these words following Viz.

Cecil Comty of Burkelo Sheriff — —

And the Said James and Geoagine in their &c Capacities by John Johnson their Attorney Appeared and prayed Liberty thereof to Imparle Until the Next Court which to them was Granted Ye Same Day was given to the plaintiff also — The which Cause was Continued from Court to Court untill this present Court — And Now here at this Court Viz. the Ninth Day of June in the Year of Christ the Said Josiah by Thomas Bowne his Attorney And the Said Cause Standing for Try al the Said Josiah by his Attorney &c Declares Viz. Cecil County ss James Frisby of Cecil County Gent & Geoagine Frisby of Cecil County Gent Admrs of all & Singular the Goods Chattels Rights & Credits which were of Thomas Frisby late of Cecil County Deceased at the time of his Death who Dies Intestate as his Said Stands Attached to Answer unto Josiah Richardson of a plea of Trespass upon the Case — And so hereupon the &c plaintiff by Thomas Bowne his Attorney Complains that whereas the &c Thomas Frisby in his life time Viz. the Fourteenth Day of May in the Year of Our Lord Christ One thousand Seven hundred and Nine at St. Stephens Parish in Cecil County within the Jurisdiction of this Court was Indebted unto the &c plaintiff in the Sum of Three thousand Three hundred and Fourty Seven pounds of Merchantable Tobacco and Seventeen pounds twelve Shillings and Six Pence Sterling Money for the like Sums of Tobacco and Money by the &c Thomas Frisby in his life time of the &c plaintiff then and there had and received And so there being Indebted the &c Thomas Frisby in his life time in Consideration thereof afterwards Viz. the &c Fourteenth Day of May in the Year &c at the Parish County and Jurisdiction &c upon himself Assumed And to the Said plaintiff then and there last mentioned Faithfully promised that he the Said Thomas Frisby the &c Sums &c. Three thousand three hundred and fourty Seven pounds of Merchantable Tobacco and Seventeen pounds twelve Shillings and Six Pence Sterling money unto the Said plaintiff when thereunto required would well and truly Pay and Content And that whereas also the &c plaintiff and the &c Thomas Frisby in his life time afterwards to wit the &c Fourteenth Day of May in the Year &c at the Parish County and Jurisdiction &c had Accounted together of and Concerning divers Sums of Tobacco and Money by the &c Thomas Frisby to the &c plaintiff before that time Going and Imparid And upon that Accounting the &c Thomas Frisby was found in Arrearage towards the &c plaintiff in the Sums &c Three thousand three hundred and fourty Seven pounds of Tobacco And Seventeen pounds twelve Shillings and Six Pence Sterling Money And so there being found in Arrearage the &c Thomas Frisby in Consideration thereof the &c Fourteenth Day of May in the Year &c at the Parish County and Jurisdiction &c in his life time upon himself Assumed And to the Said plaintiff then and there last Mentioned Faithfully promised that he the Said Thomas Frisby the &c Sums of three thousand three hundred and Fourty Seven pounds of Merchantable Tobacco And Seventeen pounds twelve Shillings and Six Pence Sterling money unto the Said plaintiff when thereunto required would well truly Pay and Content And that whereas also the &c Thomas Frisby in his life time Viz. the &c Fourteenth Day of May in the Year &c at the Parish County and Jurisdiction &c by his Certain Promissory Note Subscribed with his own proper hand and as his Deed Delivered here into Court bearing Date whereof is the Same Day and Year &c became Indebted unto the &c plaintiff in the Said Sum of three thousand three hundred and fourty Seven pounds of Merchantable Tobacco And Seventeen pounds twelve Shillings and Six Pence Sterling Money And so there being Indebted the &c

Thomas