Peregrine Frisby Surviving Exd^r &c^a to all things that thereby he shall be Lawfully Charged

And it is likewise Considered by the Court Justices the Day and Year aforesaid that the said Peregrine Frisby Surviving Exd^r &c^a recover against the said Josiah Richardson the Sum of

1344 Pounds of Tobacco by the Court here Adjudged unto him for his Costs and Charges by him upon the Prosecuting the said Writt of Error laid out and Expended And that the said Peregrine Frisby Surviving Exd^r &c^a have Execution &c^a

JB.. James and Peregrine Frisby Exd^rs of Thomas Frisby - - - D

Mathias Vandorhayden Exd^r of James Barbott - - - - - W^c

By Vertue of this Lord Ships Writt for Correcting Errors in a Certain Judgment Obtained for the said Mathias Vandorhayden Exd^r of the said James Barbott against the said James and Peregrine Frisby Exd^rs of Thomas Frisby in Cecil County Transmitt to the Lord Ships Justices of the said County Court the Justices of the said County Court have the following Record Viz^t —

Maryland ss

In the Records of Cecil County amongst other things is this Contained Viz^t

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 Provinces of Maryland & Avalon Lord Baron of Baltimore &c^a before the Lord Ships Justices there unto Authorized & Appointed Continued the Tenth Eleventh & Thirteenth Days of the said Month Anno Dom^i 1679

Present { Mr Mathias Vanbebber / Mr John Taylor — & Mr Cumming Bedford } Gent

Mathi Vandorhayden Exd^r of James Barbott Pl^a vs Peregrine Frisby Exd^r &c^a of Tho^s Frisby — Def^t

Command was given to the Sheriff of Cecil County the Seventeenth Day of March Anno Thousand Seven hundred and fifteen that he takes James and Peregrine Frisby of said County Exd^rs &c^a of all and Singular the Goods & Chattels Debts Rights and Credits which were of Thomas Frisby late of said County Deced who Died Intestate as his said etc Dicto Thomas Frisby Exd^r & Cecil County if they should be found in his Bailywick And them Safe Keep so that he have their Bodies before his Lord Ships Justices at the Next Court to Answer unto Mathias Vandorhayden Exd^r &c^a of all and Singular the Goods & Chattels Debts Rights & Credits of James Barbott Merchant &c^a alias that they Render unto him the Just and true Sum of Nine Thousand Nine hundred & Seventy five Pounds of Sound Merchantable Dry'd Tobacco which Now Court Viz^t the Twelfth Day of June Anno Dom^i 1711 One

One Thousand Seven hundred & Eleven the Day of the Return of the said Writt Came Roger Darrah Esq^r High Sheriff of said County and made Return thereof Endorsed in these Words following Viz^t —

Cecil County ss I have Executed the within Writt on the Body of Roger Darrah Esq^r

And the said James and Peregrine Frisby in their Capacities by John Johnson their Attorney Appeared and Prayed Oyer thereof to Imparle unto next Court which is Granted the same Day was given to the Plaintiff Also the which Day was Continued from Court to Court until this present Court And Now here at this Court Viz^t this Ninth day of June in the Year aforesaid the said Mathias by Thomas Browne his Attorney And the said Pleas pleading for Tryal the said Mathias by his said Attorney Declares Viz^t

Cecil County ss James & Peregrine Frisby of said County Exd^rs &c^a of all & Singular the Goods & Chattels Debts Rights and Credits which were of Thomas Frisby late of said County Deced who Died Intestate as his said etc Dicto Thomas Frisby Exd^r & Cecil County were Summoned to Answer unto Mathias Vandorhayden Exd^r &c^a of all and Singular the Goods and Chattels Debts Rights and Credits of James Barbott Merchant &c^a Whereof they render unto him the just & true Sum of Nine Thousand Nine hundred Seventy five Pounds of good Sound Merchantable Dry'd Tobacco which him they Unjustly Detain &c^a And whereupon the said Plaintiff by Thomas Browne his Attorney Saith that whereas the said Thomas Frisby in his life time Viz^t the Twenty Eight Day of March in the Year of Our Lord Christ One Thousand Seven hundred and Twelve at Saint Stephens Parish in Cecil County within the Jurisdiction of this Court by his Certain Bill Obligatory which he the said Thomas Frisby sealed with his Seal and as his Deed Delivered here into Court brought the Date whereof is the same Day and Year aforesaid Bound himself his Heirs Executors Exd^rs or Assigns the said Just and true Sum of Nine Thousand Nine hundred Seventy five Pounds of Sound Merchantable Dry'd Tobacco Condition therein unto required that the said Thomas Frisby in his said life time And the said Peregrine after the Death of the said Thomas Frisby to whom Administration of all & Singular the Goods and Chattels Debts Rights and Credits which were the said Thomas Frisby at the time of his Death who Died Intestate as his said was lawfully Granted hath not said nor Does any Thing pay or Cause to be Paid But that the said James Barbott in his life time or to the said Mathias Vandorhayden after the Death of the said James Barbott to Pay or Cause to be Paid the said Thomas Frisby in his life time altogether Denyed And the said James Frisby & Peregrine Still Do Deny to the Damage of him the said Plaintiff Eighteen Thousand Pounds of Tobacco And in Delay of the Execution of the Administration of the Premises upon Bringe Suit And Brings into Court the Letters of Administration which Testifies &

Whereupon Chancr Pledges John Doe & Richard Roe &c^a

And now here at the said Court the said Plaintiff by his Attorney Prays that the said James Frisby and Peregrine Frisby in their Capacities may make Answer unto the said Declaration of him the said Plaintiff And thereto they being Solemnly Called to Make Answer thereunto Come not nor Say any Thing in Bar or Avoidance of the same by which the said Mathias remaineth against the said James and Peregrine without Defence

Therefore It is Considered by the Court here that the said Mathias Vandorhayden in his Capacity &c^a do Recover against the said James Frisby and Peregrine Frisby in their Capacities &c^a the Sum of Nine Thousand Nine hundred Seventy five Pounds of Sound Merchantable Dry'd Tobacco And also the Sum of Nine hundred and Eighty Nine Pounds of Tobacco Costs by the said Mathias about his Suit in this Behalf Expended And by the said Court here Adjudged & the said James Frisby & Peregrine Frisby in their Capacities &c^a in Mercy

A True Copy taken from the Records of Cecil County &c^a

Test Knight Clk