

the aforesaid Mary at the time of her death and that he hath no goods or Chattells which were the aforesaid Mary at the time of her death in his hands to be administred nor had the day the issueing forth the Originall writt of him the Said Charles nor at any time after and this he is ready to averre whereupon he demands judgment if the aforesaid Charles ought thereupon to have his action aforesaid against him.

And the aforesaid Charles Saith that he Ought not to be debarred has action aforesaid because he Saith that the aforesaid Tobias Wells hath not fully administred all and Singular the goods and Chattells which were the aforesaid Mary at the time of her death in his hands to be administred and were at the day of the issueing forth of the Originall writt of him the Said Charles and Still is and this he prayeth may be enquired of by the Country.

Now here at this day came the Said Charles by Kenelm Cheseldyn his Attorney and the Said Tobias likewise came and Saith nothing in barr of the action aforesaid of him the Said Charles therefore it is considered by the Court here that the Said Charles recover against the Said Tobias the said Summe of One thousand pounds of tobacco but So as execution cease untill assetts come to his hands of the estate of the Said Mary Pyne deceased.

John Balley ag <sup>t</sup> Richard Bayly	}	Richard Bayly of the County of Calvert Inholder was Summoned to answer unto John Balley of the County of S <sup>t</sup> Maries in a plea that he render unto him five thousand Six hundred and thirty pounds of tobacco which he oweth and unjustly deteineth
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And whereupon the said John Balley by George Oldfeild his Attorney Saith that whereas the Said Richard Bayly upon the tenth day of July One thousand Six hundred Seventy foure and in the three and fortieth yeare of the Dominion of Caecilius &c by his certaine bill Obligatory Sealed with the Seale of him the Said Richard Bayly beareing date as abovesaid and here in Court produced did bind himselfe his heirs executors and administrators to pay unto the Said John Balley his heirs executors administrators or assignes the just and full Summe of five thousand Six hundred and thirty pounds of tobacco good Sound and merchantable according to Act of Assembly to be paid upon demand in Some convenient place in the River of Petuxent which said Summe of five thousand Six hundred and thirty pounds of tobacco and caske he the Said Richard hath not paid though often thereunto required and the Same to pay doth Still altogether refuse whereupon the Said John Balley Saith he is dampnified and losse hath to the value of eight thousand pounds of tobacco and thereupon he bringeth his Suite.

p. 284

And the Said Richard by Kenelm Cheseldyn his Attorney cometh and defendeth the force and injury when &c and prayeth liberty of