

Liber W. C. received Dyett, w<sup>th</sup> the said James Bennett and William Dolbury hath not kept but broken, and the same with them the said James and William to keepe hath denyed and still doth denye, Whereupon the s<sup>d</sup> James & William say they are Damnified two hundred and ffifty pounds sterling and thereupon they bring their suite

And the said Thomas Taylor by Robert Ridgely his Attorney cometh and Defendeth the force and Injury when &c & prayeth liberty to imparle hereunto untill next provincially Court. and it is granted unto him. the same day is given to the plantiffe also

Now here at this day to witt the nineteenth day of febr<sup>y</sup> in the ffifth yeare of the Dominion of Charles Lord Baltemore &c Annoq Dominj 1679 Came the said parties by their Attornyes aforesaid & the said Thomas Taylor by his said Attorney prayeth Judgm<sup>t</sup> of the writt aforesaid, because hee sayth that hee the said Defend<sup>t</sup> Thomas to the Indenture of Chart<sup>r</sup> pty made the one and twentieth day of August in the yeare aforesaid in the Declaracon aforesaid recited is not party, nor hath hee signed or sealed the same, nor accon ag<sup>t</sup> him upon that Indenture doth not lye, and this hee is readie to aver and thereupon of the same writt Demands Judgment, And the said James Bennett and William Dolbery by their said Attorney say, that the writt of them the said James and William ought not to bee abated for the reasons afore alleadged by the said Thomas Taylor, and this they are ready to averre, and Crave Judgment Whether the said writt ought to abate or not. And the said p<sup>l</sup>t Likewise

p. 117 Which being read heard and argued, and by the Justices here fully understood; Itt seemeth to the same Justices, that the said plea of the said Defend<sup>ts</sup> in abatement of the writt aforesaid in manner and fforme aforesaid pleaded, & the matters in the same contained. are sufficient in Law to abate the aforesaid Writt against the said Defend<sup>t</sup> in forme aforesd obtained Therefore itt is Considered that the writt aforesaid against the said Defend<sup>t</sup> in forme aforesaid obtained shall bee abated, and the said Deft may goe thereof without Day, and alsoe that the said Thomas Tayler recov<sup>r</sup> against the said James Bennett and William Dolbury the sume of pounds of Tobacco for his costs and charges by him about his Defence in this behalfe laid out and expended, and the Said Thomas Taylor may have thereof Execution

Archibold Arthur ag <sup>t</sup> Josias Lenham & Ja: Balderstone Adm <sup>rs</sup> John Desiardins	}	The jurors finding for the Defend <sup>t</sup> in this cause, the plantiffe by George Parker his Attorney moved in Arrest of judgm <sup>t</sup> whereupon day is given to both parties untill next Provincially Court
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