fifth day of August in the yeare aforesaid the said six thousand pounds of tobacco for the servant aforesaid in his owne name did sue & the same to his owne use did convert dispose, & to make paym.t of the same to the said Richard although often thereunto required hath denyed & to doe the same as yet doth deny to the damage of the said Richard twelve thousand pounds of tobacco & thereupon he bringeth his suite.

And the said James Harrison by Charles Bolsler his Attorney commeth & defendeth the force & injury when & and prayeth liberty to imparle hereunto untill next Provinciall Court, & it is granted unto him, the same day is given to the plaintiffe also.

Now heare at this day to wit the Eleventh day of Octob: in the fourth yeare of the Dominion of the right hon.ble Charles Lord Baltimore &c. Anno Dom. 1675 came the said parties by their Attorneys aforesaid. And the said James Harrison by his said Attorney saith, that he did not promise & assume in manner & forme as the plaintiffe above in his declaracon hath declared & of this he putts himselfe upon the Country & the said plaintiffe likewise. Therefore it is commanded the Sheriffe of St. Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize & because as well the which said Eleventh day of October in the yeare aforesaid came the said parties by their Attorneys aforesaid & the jurors impannelled being called likewise came to wit Edw: Inglefield. Wm Dare. Henry Hardy. John Hustewood. Cornelius Comegys. Richard Baily. Wm Cole. James Eaton. John Afhen. Samuell Gosley. John King & Robert Mason who being elected tryed & sworne to say the truth in the p.misses upon their Oathes do say, that the said James Harrison did assume & promise in manner & forme as the said Richard Johns hath above declared against him & they assesse the damages of the said Richard Johns to twenty two pounds five shillings & three or foure thousand five hundred pounds of tobacco. Which verdict of the jurors aforesaid being read & heard, the said James Harrison by his attorney aforesaid moved the Court here in arrest of judgm.t & prayed day untill the fifteenth day of the same Octob: & it is granted unto him. The same day is given to the plaintiffe &c.

On which said fifteenth day of Octob: in the yeare aforesaid came the said parties by their attorneys aforesaid & the said James Harrison by his said attorney saith, that judgm.t ought not to be arrested, for that the verdict is altogether uncertaine in that the jury have found for the plaintiffe twenty two pounds five shillings & three or foure thousand five hundred pounds of tobacco, which being things of different kinds & value, & not appointed by the jury on whose choice the same should be made the verdict is wholy uncertaine & therefore prayeth that judgm.t may be stayed which being read & heard it seemeth to the Justices that that the reason aforesaid is insufficient in law to arrest judgm.t upon the verdict of the jurors aforesaid. Therefore it is considered that the said Richard Johns recover against the said James Harrison as well the same of four thousand five (hundred

hundred pounds of tobacco damages by the jurors aforesaid in forme aforesaid assessed &c. also seventeen hundred & seventy pounds of tobacco & sixty & five shill: in money &c.

Jacob Leisler ag.t Mark Cordea

Mark Cordea late of St. Maryes County gent. otherwise called Mark Cordea of St. Maryes County in the Province of Maryland Merchant was summoned to answer unto Jacob Leisler of New York Merchant of a plea that he render unto him the sume of fifty eight thousand eight hundred & eighty two pounds of good sound Merchantable tobacco & cask & which to him he ought & unjustly detaineth.

And whereupon the said Jacob by Robert Ridgely his Attorney saith, that whereas the said Mark Cordea the twelfth day of May one thousand six hundred eighty six by his certaine writing obligatory sealed with the Seale of him the said Mark & here in Court produced whose date is the day & yeare aforesaid, did acknowledge himselfe to be indebted unto the said Jacob in the sume fifty eight thousand eight hundred & eighty two pounds of good sound Merchantable tobacco & cask payable upon all demands To which payment well & truely to be made to him his heyres Exec.rs Administrators or assignes the said Mark did bind himselfe his heyres Exec.rs & Admin.rs firmly by those presents. Notwithstanding which the said Mark the said sume of fifty eight thousand eight hundred & eighty two pounds of tobacco to him the said Jacob Leisser according to the tenour of the said writing obligatory although often thereunto required hath not paid, but the same to pay hath denyed & as yet doth deny whereupon the said Jacob saith he is damnified & hath loss to the value of eighty thousand pounds of tobacco. & therefore he prayeth his suite.

And the said Mark Cordea by Robert Carvile his Attorney commeth & defendeth the force & injury when & And the said Mark prayeth the hearing of the writing obligatory aforesaid & it is read unto him, he alsoe prayeth the hearing of the Condition of the same writing Obligatory & it is read unto him in these words. The Condition of this Obligation is such, That if the above bound Mark Cordea his heyres Exec.rs or Admin.rs shall well and truely pay unto the above named Jacob Leisler his heyres Exec.rs Admin.rs Attorneys or assignes the sume of twenty nine thousand foure hundred sixty and pounds of good sound Merchantable tobacco in St. Maryes County upon the first demand after the tenth day of Octob: next ensuing (saving six Negroes & a certain Sloop the said Leisler) then this present Obligation to be void & of none effect, otherwise to stand in full force & vertue In hearing which being read the said Mark Cordea by said Attorney aforesaid

(prayeth