At a Court held at Newtowne for the Kingdome. the Lord proprietary and for the County of St. Maries the first Tuesday in January being the first day of the said month Anno Dni 1683.

Justices { Mr. William Hatton, Mr. Thomas Hill, Mr. Richard Gardiner, Mr. Thomas Mudd, Mr. John Dent } present

Maries County ss. Marke Cordea was attached to discover to Gabriell Mumbril of a plea of trespasse upon the case —

Whereupon the said Gabriell by Anthony Underwood his Attorney the Complaintiff that whereas the said Marke the twenty eight day of October 1683 did owe unto him within the Jurisdiction of this Court and indebted to him the said Gabriell in the summe of Eleaven thousand Eighty six pounds of Tobacco did by a particular Accompt ready in Court to be produced at large it may appear did the said Marke to the said Gabriell in manner aforesaid being indebted the said Marke afterwards in Consideration thereof did assume upon him, gratis did to the said Gabriell the said and did faithfully promise that he the said Marke him the said Gabriell the said summe of Eleaven thousand Eighty six pounds of Tobacco when he thereunto required would well & truely content & pay but attempting the said Marke his promise and assumption aforesaid not regarding but deriding and fraudulently intending him the said Gabriell in this behalfe to defraud and defraud the said Marke him the said Gabriell the said summe of 11086 lb. of Tobacco according to his promise and assumption aforesaid hath not payd although often required to wit the fifteenth day of October 1683 at Newtowne aforesaid but the same to pay altogether hitherto denyed and still doth deny to the damage of the said Gabriell the summe of 200000 lb. of Tobacco and therefore he brings his Suite.

Vnderwood for plt. — Plegge Richard Richer

Marke Cordea Dr. to Gabriell Mumbril
Order vpon Mr. Richard for Tobacco the
of Sundry persons —

To mr. Richard of John Dundson	2300
To mr. Richard of John Wallis	0856
To mr. Richard of Dundson more	1200
To mr. Richard of John Pollard	1500
To mr. Richard of Richard Ford	7654
To mr. Richard of John Stanley	1000
Summa	14540

Cr. by Cash for Corne bought of Mr. Richard Gardiner 5200.
by Cash for Corne bought of Mr. Thomas Mudd 0800
By Cash — — —
By Cattle — — —
By Salary for receiving 1454
1454
By Cash due to Mumbril 12086
14540

Marke Cordea

Test Eliz. Carter
Wm. Blanckenstein

And the said Marke by Thomas Gerrard his Attorney comes and defends the force and injury when &c. and saith that he the said Marke was and yet is ready to pay the said summe of 11086 lb. of Tobacco to the said plt. and the same hath always been ready to pay and ready is to pay &c. Wherefore the said Marke prays Judgment if the said plt. ought to have his action against the said Marke in this behalfe &c.

Gerrard —

And the said plt. saith he ought not to be barred of his said action against him the said Marke by reason of the said plea aforesaid alledged and the said plt. saith that the said Marke hath not made any tender of the said summe of 11086 lb. of Tobacco as in the said plea aforesaid he hath alledged and this he prayeth may be inquired of by the said Country. And the said plt. likewise —

Vnderwood —

Whereupon the said Marke prayed the Court to grant a Jury to try the Issue joyned between the said parties. Whereupon the said Court granted a Jury to try the said Issue between the said Gabriell Mumbril plt. & Marke Cordea defdt. to wit the said day to wit the 7th day of January in the said year of the Dominion of Maryland &c. Anno Dni 1683 and the said Jury of the County aforesaid and the Jurors of that Jury being called to wait

Arthur Thompson Samuel Ward Robert Brooke William Coles John Boyd Samuel Howe Henry Pawlet Thomas Gerrard John Beard John Dowell John Curry William Knight — who to say the truth in the premisses being Elected tryed and sworne upon their oaths do say that for the plt. 11086 lb. of Tobacco and Cost of suite. Whereupon the said Jury considered by the Court here that the said Gabriell Mumbril Recover against the said Marke Cordea the summe of Eleaven thousand Eighty six pounds of Tobacco & damages occasioned by the Trespasse aforesaid & also the summe of Nine hundred thirty Eight pounds of Tobacco Cost of suite —

Whereupon the said Marke Cordea by his Attorney aforesaid tooke his Appeale to the Provinciall Court of this Province And the said Marke Cordea and John Edwotten & William Rosewell his Sureties Covenant & bound in the summe of twenty five thousand one hundred & Eleaven thousand five pounds of Tobacco that the said Marke Cordea shall prosecute the said Appeale with effect in the Provinciall Court according to the Act of Assembly in that case made and provided —

A true Copy of the Record of the Proceeding

Now here at this day to wit the 25th day of March Anno Dni 1684. came the said Gabriell Mumbril by Anthony Underwood his Attorney but the said Marke Cordea came not but made default and no Recognizance being filed for Prosecuting the Judgment of the said County Court It is considered by the Court here that the same be affirmed and that Procedendo issue to the said County Court of St. Maries County Court that Execution may issue out of the said County Court for the debt and cost aforesaid and it is considered by the Court here that the said Gabriell Mumbril Recover his Cost of suite against the said Marke Cordea to the summe of

Henry Philipps ag. John Sutteridge — Ordered by the Court that Speciall warrant issue to Resurvey the land in Hudson according to the Land Patent for the same —

7: Octob: 1684.

John Smith ag. Robert Clasell } Maryland ss. Robert Clasell late of Somerset County Merchant was attached to discover unto John Smith Merchant of a plea of Trespasse of the Case

And whereupon the said John Smith by Robert Carvile his Attorney complaineth that whereas the said John Smith the 4th day of April in the yeare of our Lord 1682 at the City of Bristoll in the Kingdome of England at the speciall instance & request of him the said Robert Clasell had lent unto him the said Clasell the summe of Thirteen pounds of Lawfull money of England and had also then & there paid & layd out for him the said Robert Clasell by his order the summe of Fourty pounds one shilling & Nine pence of the said Lawfull money of England both which summes doe in the whole amount to the summe of £ 17: 01: 09d. Yet the said Robert Clasell in Consideration thereof did then & there assume upon himself and to the said John then & there faithfully promise that the said Robert Clasell the said summe of 17: 01: 09. to him the said John Smith would well & truely content & pay when he should be thereunto requested. Yet notwithstanding the said Robert Clasell his said promise & assumption aforesaid little regarding but deriding & fraudulently intending him the said John Smith in this behalfe craftily and subtilly to defraud and deceive the said summe of 17: 01: 09 to him the said John Smith according to his promise & assumption aforesaid though afterwards that is to say the 18th day of November in the yeare of our Lord 1682 at Dunmore in the said County of Somerset he was by the said John Smith thereunto requested hath not payd or satisfied but the same 17: 01: 09. to him the said John Smith to pay hath hitherto altogether denyed & refused & still doth deny to pay the same to the damage of the said John Smith 50 sterling and therefore he brings his Suite —