[illegible] any wise fearing but altogether slighting e-
[illegible] the said after the making of the said or-
[illegible] the twentieth day of January [illegible] in the yeard of our [illegible] lord 1695 Eighty hogsheads
of tobacco did take [illegible] on board the said ship and
riding in patapsco river before that [illegible] the said John
Markmore hath given bond with sufficient for produce
certificate according to the aforesaid act of parliament
whereby the said John Markmore hath forfeited his said
ship with all guns tackle apparell furniture for his
willfull loading or taking on board the said ship the
aforesaid tobacco against the form of the statute aforesaid &c
whereupon the said Edward Randolph hath a writ for our
soveraigne lord and lady against him the said John pray &c the
said Moyne according to the form of the statute and a writ
for our said soveraigne lord and lady against himself &c
prayed the said defendant [illegible] burden the premises and that
the said John Markmore may come here in to Court
to answer —

Plaintiffs Attorney.

And the said John Markmore by Robert Goldsborough
his attorney comes &c defendant the said force & injury when &c
&c and for plea saith that he
hath been not guilty in manner &
form as in the said [illegible] aforesaid is set forth and
for his tryall puts himself upon the country — and the
said Edward Randolph [illegible] as well &c. also —
Command was therefore given to the sheriff of Anne
Arundell county that he cause to come here twelve &c
by the name &c. [illegible] &c. to recognize &c. —
Now here at this day to wit the 23. day of August —
Anno Dni 1695 came the said parties by their attorneys
aforesaid and the jurors of the said jury being summoned
& called came likewise &c [illegible] Philip Lee and John Rodgers
Charles Stewart William [illegible] Abraham Childs &c
who upon their oath [illegible] Robert Richardson William
Harpam [illegible] sworn to speak
the truth of the premises. Whereupon their oath do say
that the said John Markmore
not guilty in manner & form as aforesaid
Therefore it is considered by the court that the said
day year aforesaid that the said Edward Randolph recover
against the said [illegible] nothing by the writ aforesaid
that the said John Markmore go thereof without day —
Whereupon the said Edward Randolph by his attorney by George Plater
his attorney [illegible] to the court & humbly
[illegible] —

And the said deft by Robert Goldsborough his attorney
comes the defendant the force & injury when &c and for plea
saith that before the writ of the said pltff judgment against
the testator and before the purchase of the writ of fi: fa: &
against him the said deft as admr he had fully administred all and
singular the goods & chattels of the said dec[ea]sed & nothing had or
hath in his hands to be [illegible] by his knight answer the pltff in the
writ of fi: fa: aforesaid and therefore prays judgment &c
And the said Ralph by his attorney aforesaid says that the
[illegible] in the plea of the deft to the
[illegible] the said Ralph ought not to be barred
that he says that the de[illegible] on the fi: fa: aforesaid affirmed for
is upon a judgment which [illegible] admr is obliged to satisfy
to satisfy before debts of a lower nature and that he is ready
to abide &c prove and also the said pltff a second debt which
he in form [illegible] admr of the said testator [illegible]
Davenport demanded the said sum of 1827 lb of tobacco
in the aforesaid fi: fa: mentioned of him the said Robert
[illegible] and that he is [illegible] ready to abide and prays judgment
And the aforesaid deft for his joynder says that the said
Ralph Offishbourne did not demand the within mentioned
1827 lb of tobacco in the fi: fa: mentioned of him the said
deft at any time within the [illegible] he had assets of the testator in his
hands and of this he puts himself upon the country —
And the pltff also —
Now here at this day to wit the 23. day of August 1695
Command was given to the sheriff of Anne Arundell
county that he cause to come here twelve &c
by the name &c. [illegible] &c. to recognize &c. and
the sheriff made return of this
[illegible] that he had the [illegible] ready in court twelve [illegible]
[illegible] of his bailiwick [illegible] according to this by his writ
command to wit John [illegible] Ephraim Wilson William
Colbourne John [illegible] John [illegible] Richard Rawling
John Ewbald [illegible] Richard Thomas [illegible] Spencer [illegible]
Blakston John Howard [illegible] Charles Hall —
At the said 23 day of August aforesaid came the said parties
by their attorneys aforesaid and the jurors aforesaid
[illegible] being called likewise and
being elected tryed & sworn to speak the truth &
[illegible] the premises upon their oath do say
we find for the deft. Whereupon it is considered
by.