the said Timothy paid the said sum of one thousand
pounds lawfull currant money of England to our said
soveraigne lord & lady the king & queene altho often-
demanded hath not paid but the same to pay hath denyed
and still doth deny. Whereupon our said soveraigne lord
and lady the king and queene say they are damnified &
have losse to the value of two thousand pounds sterling
and therupon they bring their suite —.

And the said Timothy payne by William Daylard his
attorney comes and defends the force & injury wrongs
and prayeth the hearing of the said bond or writing
obligatory and it is read unto him he also prayeth the
hearing of the said condition of the above said bond
or writing obligatory and it is read unto him in the
words following viz. The condition of this above or
obligacon is such that if the above bounden Timothy
payne or any other person in his behalfe at or before the
departure of the said ship out of this district of patuxent
shall well & truely pay or cause to be paid unto their Ma.ties
Collector and receiver of the aforesaid port the duty of one
shilling & sixpence p hundred for every hhd of tobacco in
rafts or every fourty hundred pounds of tobacco in bulke
which shall be loaden & taken on board the said ship bound
prisent voyage and shall also pay or cause to be paid to
the officer aforesaid the duty of three pounds & tonne
for every tonne the said ship is gaged at together with
all & singular the officers fees and all other necessary charges
for discharging and clearing the said ship the present boyard
in money sterling in England by good & sufficient bills
of exp.ta to be drawne on some able sufficient p.son in
London or some other port in England aforesaid and
punctually paid according to the tenour and shall well and
truely behave himselfe and due obedience yeilde unto all &
singular the lawes customes & ordered of this province
their this obligacon to be void & of none effect else to
stand in full force & vertue —.

Now here at this day to wit the fifth day of October
Anno Domini 1696 came the said George Plater attorney
of our said soveraigne lord the king, and prayed
judgement against the said Timothy payne upon the
obligacon aforesaid. And the said Timothy came not
altho solemnly called but made default whereupon
it is considered by the court here that our said soveraigne
lord the king recover against the said Timothy payne the
the sum of two thousand pounds, the debt
aforesaid and also the sum of
pounds of tobacco cost of suite. And the defendant in mercy
&c —.

Ninian Reale late of Calvert County Esquire was
attached to answer unto John Rathford of a plea of
trespasse upon the case —.

And whereupon the said John Rathford by George Plater his
attorney complaineth that whereas the said John Rathford the
eleventh day of February in the yeare of our Lord 1695 at
Calvert County aforesaid was possessed of divers goods & chattels
viz.t one flock bed & bolster two feather pillowes & two
white blanketts and one green rugg of the value of two
thousand pounds of tobacco and of the proper goods & chattels
of him the said John Rathford, being thereof so possessed
the said John Rathford the said bed and bolster two feather
pillowes & the two white blanketts & one green rugg out of
his hands carelessly did loose which said goods afterwards to wit
the day & yeare & place aforesaid to the hands & possession of him
the said Ninian by finding did remove & withheld the said
Ninian Reale well knowing the said goods to be the proper goods
of him the said John Rathford & to him of right to belong the said
goods to him the said John Rathford thought afterwards to
wit the first day of May in the yeare of our Lord 1695 at
Calvert County aforesaid was thereunto requested but hath
not delivered but the said goods to his proper use & behoofe
hath converted and disposed to the damage of the said John
Rathford Eight thousand pounds of tobacco and therefore he
brings his suite —.

And the said Ninian Reale by Philip Clarke his attorney
comes and defends the force & injury when &c. and saith
that he is not guilty of the trover and conversion in manner
and form as the plt in his declaration hath falsely suggested
and of this he puts himselfe upon the country — and the plt
also — command was therefore given to the sheriff of Anne
Arundell County that he should make to come twelve
lawfull men of his bailiwick &c. to wit &c. by the warrant command
to wit Philip Lynch George Hurd William Roper Sylbright
Cockey John Selman John Medcalfe Thomas Hood John
Morgan Thomas Richardson Richard Wharfield Mr. Hall
Hudd and Edward Harrowriffe —.

Now here at this day to wit the sixth day of October Anno
Domini 1696 came the said parties by their attorneys aforesaid
and the jurors of the pannell called and aforesaid being called
likewise came following sworne to say
the truth touching the premisses (having fully heard
understood and considered the same) upon their oaths
do say that of the jury do find for the plt four hundred
pounds