Garrett in Maner as King the Answer thereto said Richard in Confideration Thereof
Did Agree upon himself and to the said Garrett Thereby Faithfully promise
That he the said Richard the said Sum of five thousand one hundred odd pounds
to the said Garrett when he should be Thereunto required well and truly
Content and pay Whereupon the said Richard his promise and Agreement
and regarding the ruining and Fraudulently intending thereby the said Garrett
in this behalf craftily and subtilly to deceive and defraud the said Sum of 5100
pounds of Tobacco or any part Thereof to the said Garrett Faithfully said Although the
said Richard to the same by the said Garrett afterwards Viz. that is to say the 28th
day of January in the year of our Lord 1696 at Annapolis aforesaid required but
Hath he the said Richard his said promise and Agreement not regarding but the
Same wholly Craftily and subtilly to deceive and defraud the said Garrett of
Seven thousand pounds of Tobacco and Thereof he brings his Suit

Now here at this day to wit the Eighteenth day of November in the
Tenth year of the Reign of King William the Third of England &c. Annoq; Domini
1698 came the said Garrett by Joseph Deal his Attorney and offered himself the
3d day against the said Richard Jones and prayed that the said Richard be Thereupon
Cited the said Richard although so Frequently Called came not but Made
Default whereby the said Garrett remains against the said Richard
wholly undefended Whereupon it is Considered by the Court that the said Garrett
recover of the said Richard Jones the Debt as well the Amount of five thousand one
hundred pounds of Tobacco his Debt or Damages occasioned by the Non-performance of
aforesaid the Sum of five hundred Eighty three pounds of Tobacco Cask & Suit
and his Costs and Charges in Money.

Thomas Collier } Gabriell Garrett Late of Anne Arundell County Merchant was Attached to
Gabriell Garrett } Answer unto Thomas Collier of a Plea of Trespass upon the Case and Thereupon
the said Thomas by Wm Dent his Attorney complaineth That whereas upon the 23d day
of October in the year of our Lord 1696 at South River in Anne Arundell County the
said Thomas being Hayward Officer and Riding Surveyor of his Majesty on the Western Side of
the Bay and Sworn to Use his utmost Endeavours to See all his Majesty Laws & Statutes
Relating to Trade and Navigation were Putten and put in Execution and Espetially all Orders
of the same Province Enacts Made or Published Thereupon Whereby the same should
Come to his Lordships Knowledge by Information or otherwise in that Province the said Garrett well
knowing the Premises but unduly and maliciously Contriving and Craftily to Hurt and Grieve
the said his Majesty good Subjects did also to Cause him the said Thomas to be Sued and
Prosecuted one Richard Ray Master of the Ship Charles of Topsham and the said

Ship Thereof Illegall and Unqualified Master which was not so and Thereby gained
the Envy and Ill will of divers Honest and Loving Subjects of this Province and
to Sustain divers great Charges and Expences in Prosecuting this Same the day year
and place aforesaid by false Feigned Malicious and Deceitfull Informations and
Affirmations of and upon the Oaths by did give Evidence and Affirm to the said Not
Collier that is to say that the said Ship Charles of Topsham Richard Ray Master
as aforesaid was an Illegall Trader and not Qualified for and that he imported divers
European Goods out of England into this Province Illegally and Contrary to Law whereby
the said Ship became Forfeited and that therefore he the said Thomas Ought to Seize the
said Ship and Prosecute her for the same and that the said Gabriell Garrett Purchased
her of the said Thomas when she was Seized and that upon that Information
and Affirmation of the said Gabriell the said Thomas did Seize upon the said Ship
and Prosecute her for an Illegall Trader and Contrary to the Act of his Majesty Laws as
the said Gabriell would in Form aforesaid Inform and Prosecute the said Thomas for Acting in the
same and well Knowing thereof for Reason whereof the said Thomas afterwards that
is to say the 28th day of January in the year of our Lord 1696 at South River aforesaid in
the Province aforesaid that is to say at Annapolis in the said County of the
aforesaid a Court of Oyer and Terminer Legally Authorized and Empowered to hear and
determine the same Prosecuted the same by way of Information for an Illegall
Trader and Importing into this Province and Kingdom of England divers European Goods
contrary to his Majesty good Laws as by the Record and Proceedings thereof
Remaining in the Provinciall Court of this Province there remaining upon
Record more plainly and at Large doth and may appear and also Summoned the
said Gabriell to Testify and give Evidence of and upon the Premises who
accordingly Came and being Sworn to give Evidence of and upon the Premises
declared that he Knew not any thing at all thereof Whereupon the said Ship and
Master was discharged from the Information and Seizure aforesaid and the said Thomas
Forced to Expend and pay and divers great and Considerable Sums of Money and
Tobacco in his Defence thereof to the Value of five thousand pounds of Tobacco
and for the said Gabriell Then the said Thomas by his false Malicious and Deceitfull
Information and Affirmation aforesaid Deceived and Impoverished to the Damage
of the said Thomas of Three thousand pounds of Tobacco and thereof he brings his
Suit Then the said Gabriell by Nathe Clark his Attorney comes and Defends the Force and
Injury when and where &c. and saith that he is not Guilty in such Manner and Form as the
Declaration against him aforesaid Put forth and of this he puts himself upon his Country and the
Plaintiff also for
Now here at this day to wit the Eighteenth day of November in the Tenth year
of the Reign of King William the Third of England &c. Annoq; Domini 1698