

notice did imploy & entrust the said George Tyte not only to be Master of the said Shipp Maryland M^rchant, but also with divers great & considerable quantityes of Goods & M^rchandizes for them to sell vend & dispose in this Province, by which the said George did not only gett & obtaine to himselfe an honest & comfortable livelyhood for himselfe & ffamily, but also was likely by the same employments and dealing to acquire to himselfe a considerable Estate Yet the said ffrancis Johnson being not ignorant of the p^rmisses but out of his meer & evill malice deviseing to hurt detract darken blast & utterly to destroy the name fame estimacōn reputacōn & credit of the said George Tyte, & to bring him into trouble vexation scandall and infamy, by which the said George should be rendred a person not fitt to be employed or intrusted as aforesaid, nor to trade and trafique as aforesaid, the said ffrancis Johnson the seventh day of August One thousand six hundred seventy seven att the house of Stephen Murty att New Towne in the said County of S^t Maryes being in the tyme of the County Court then & there held, openly and publickly & in the p^rsence & hearing of many of the good people of this Province did say repeat affirme publish & pronounce with an audible & loud voice these words following viz^t I tell you that Tyte (meaning him the said George Tyte) is a cheating rogue & a knave & a cheating knave & a rogue, & I (meaning himselfe the said ffrancis Johnson) will so prove itt, And that he (meaning the said George Tyte) cheats the Countrey with false weights & measures By reason of the saying & pronouncing of which said scandalous Malicious & false words the same George is not only in his good name fame credit & reputacōn extreamly damnified & hurt amongst the good people of this Province, but also with divers of the M^rchants of Bristoll his Owners & Employers he being rendred by the said words unfitt to be employed and entrusted by any person whatsoever either in this Province or elsewhere, or to drive any trade negotiate deale contract buy or sell with any person And also may be Indicted upon the Statute against false weights & measures & be brought in danger of suffering such paines & penalties that are to be inflicted on such persons that are guilty of the said Crimes by the said Statute to the damage of the said George Tyte twenty thousand pounds of tobacco & thereupon he bringeth his suite

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And the said ffrancis Johnson by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the twelfth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq^{ue} Doni 1678 cometh as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the said ffrancis by his said Attorney saith, that the said George Tyte his action aforesaid against him