

Marke Cordea ag ^t John Balley	}	John Balley late of St Maries County merchant was attached to answer unto Marke Cordea in a plea of trespas upon the case	Liber M M P. 469
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And whereupon the said Marke by Kenelm Cheseldyn his Attorney complaineth that whereas the said John Balley Stands indebted to the said Marke for Severall summes of tobacco at divers dayes & times to wit from the twentieth day of March in the yeare One thousand six hundred seventy three untill the tenth day of March One thousand six hundred seventy foure disbursed and paid unto severall persons in this Province On the behalfe of the said John at the speciall instance & request of him the said John to wit to the Hon^{ble} Philip Calvert Esq^r the summe of foure hundred and eighty pounds of tobacco to George Wright eight hundred pounds of tobacco to Richard Ridgell One hundred pounds of tobacco to Elizabeth Bate- man foure hundred and fifty pounds of tobacco, to his Taylor One hundred & fifty pounds of tobacco to Robert Carvile eight hundred pounds of tobacco all which said summes in the whole doe amount to the summe of two thousand seven hundred & eighty pounds of tobacco In consideration whereof the said John did assume upon him- selfe and to the said Marke did faithfully promise that he the said John the said severall summes as aforesaid disbursed as aforesaid in the whole amounting to the summe of two thousand seven hundred & eighty pounds of tobacco when thereunto required the same to him the said Marke would well & truly content & pay And the said Marke in fact Saith that he the said Marke did disburse and pay unto the Severall persons aforesaid the aforesaid Severall summes of tobacco amounting in the whole to the said summe of two thousand Seven hundred & eighty pounds of tobacco On the behalfe of the Said John and at the Speciall instance & request of him the Said John Notwith- standing which the said John Balley the said Summe of two thou- sand Seaven hundred & eighty pounds of tobacco according to his promise hath not paid though often thereunto required but the same to pay hitherto hath & Still doth altogether deny to the damage of the Said Marke foure thousand pounds of tobacco And thereupon he bringeth his suite.

And the said John by George Oldfeild his Attorney cometh and defendeth the force and injury when &c and Saith that the said Marke his action aforesaid Ought not to have against him for that he saith that he alwayes was and Still is ready to pay unto the said Marke the said summe of two thousand seven hundred & eighty pounds of tobacco in the said declaration menconed if lawfully de- manded and that he the said John did upon the seventh day of Octo- ber One thousand six hundred seventy foure being the day he was arrested and before which time never any legall demand for the said debt was made tender unto the said Sheriff for the use of the said Marke a note for eight hundrs tobacco of the proper goods of him the