

sary accomodation aforesaid which in the whole amounts to the summe of nine thousand three hundred thirty three pounds of tobacco Yet Notwithstanding the said Mark his promises and protestations aforesaid not regarding but deviseing & fraudulently intending him the said Evan in that behalfe craftily & Subtily to defraud & deceive the said summe of nine thousand three hundred thirty three pounds of tobacco to him the said Evan according to his promise aforesaid though often thereunto required hath not hitherto rendred or paid but the same to pay doth deny and refuse to the damage of the Said Evan thirteen thousand pounds of tobacco & thereupon he bringeth his suite.

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And the Said Mark by Kenelm Cheseldyn his Attorney doth come & defend the force and injury when &c and prayeth liberty of Speaking hereunto untill the next Provinciaall Court & it is granted him the same day is given to both parties here

At which said next Provinciaall Court Came the said Evan by his Attorney aforesaid & the said Mark by his said Attorney came likewise and the said Marke Saith that he did not promise & assume upon himselfe in manner & forme as the said Evan Carew above in his declaration hath declared against him & of this he putts himselfe upon the Country and the plaintiff likewise therefore it is Comanded the Sheriff that he cause to come here twelve &c.

Now here at this day to witt the five & twentieth day of November in the 44th yeare of the Dominion of Caecilius &c Annoq̄ Doñ One thousand Six hundred Seventy five Came the said Evan by his Attorney & the said Mark by his Attorney and the jurors of that jury likewise came to wit John Gittings W^m Thomas Arthur Wright Peter Watts John Tant Richard Meekins W^m Hemsley Raymond Staplefort Jn^o Brookes Jn^o Hollins Henry Turner & Henry Exon who being impannelled & Summoned to say the truth in the premisses upon their Oathes doe say Wee find for the plaintiff five thousand pounds of tobacco for eight & twenty months service Therefore it is considered by the Court here that the said Evan recover against the said Mark the summe of five thousand pounds of tobacco for his damages occasioned by the trespas aforesaid as also the summe of One thousand thirty nine pounds of tobacco costs of Suite.

Evan Carew ag ^t	}	Marke Cordea of S ^t Maries County was attached to answer unto Evan Carew in a plea of trespas upon the case.
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And whereupon the said Evan by Robert Carvile his Attorney Saith That the said Marke being upon the ninth day of March in the yeare of Our Lord One thousand Six hundred Seventy three justly indebted unto the said Evan for Severall goods sold him and tobacco paid for him & worke done for him from the tenth day of November One thousand six hundred & sev-