Liber N N Morgan Jones ag[t] Garret VSweringen. } Garret VanSweringen late of S[t] Maryes Citty in the County of S[t] Maryes was Attached to Answer unto Morgan Jones in a plea of trespas upon the case

And whereupon the said Morgan by Kenelm Cheseldyn his Attorney complaineth, that whereas he the said Morgan the twentieth day of April in the yeare one thousand six hundred seventy five did covenant & agree with one Robert Harper a practitioner in phisick & Servant to the said Garret VanSweringen & with the lycence of the said Garrat to Administer unto the wife of him the said Morgan then languishing of a certaine distemper of body such meanes as the said Robert in his best judgem[t] thought convenient for recovery of the said distemper. & for the same did agree with the said Robert to pay him for the same the sume of sixteen hundred pounds of tobacco Afterwards to witt the fourth day of Octob[r] in the yeare one thousand six hundred seventy six, the said Garret VanSweringen then haveing occasion for tobacco, in consideracon that the said Morgan Jones would pay unto him the said Garret the sume of Eight hundred pounds of tobacco p[r]sent in hand, the said Garret did assume upon himselfe & to the said Morgan did faithfully promise, that he the said Garret would discharge him the said Morgan from the said sume of sixteen hundred pounds of tobacco agreed to be paid to the said Robert Harper when itt should become due to him the said Robert And the said Morgan in fact saith, that he did upon the consideracon aforesaid pay unto the said Garret the sume of Eight hundred pounds of tobacco; aforesaid Notwithstanding which the said Garret did not discharge him the said Morgan from the said Robert for the debt aforesaid, but the said Robert recovered the same of him the said Morgan, whereupon the said Morgan saith he
p. 437 is dampnified the sume of two thousand five hundred pd̃s Of tobacco & thereupon he bringeth his suite

And the said Garret by Robert Carvile his Attorney cometh & defendeth the force & injury when &c and prayeth liberty of speaking hereunto untill next Court & itt is granted him, the same day is given to the said Morgan also.

Now here att this day to witt the two & twentieth day of ffeb[r] in the third yeare of the dominion of Charles Lord Baltemore &c Anoq̃ Doni 1677 came the said parties by their Attorneys aforesaid And the said Garret saith, that he did not assume upon himselfe & to the said Morgan make such promise as the said Morgan hath above imposed upon him, & of this he putts himselfe upon the Countrey, & the said Morgan also Therefore comand is given to the Sheriffe of S[t] Maryes County that he cause to come here twelve &c by whom &c who neither &c to recognize &c because as well &c And the Jurors impannelled being called likewise came to witt Thomas Cosden, Tho: Doxey, Henry Phippes, Tho: Bankes, John Askin,