

& of the Value of foure thousand pounds of tobacco as aforesaid Liber N N
 Yett the aforesaid Michael hath & still doth refuse to deliver the same, but the same doth unjustly detaine, whereupon the said Philip saith he is damnified & hath losse to the Value of Six thousand pounds of tobacco, & thereupon he produceth his suite

And the said Michael by Robert Carvile 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 thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doni 1678 cometh as well the said Plaintiffe as the said Defend^t by their Attorneys aforesaid And the said Michael by his said Attorney saith, that he doth not detaine the Goods in the Declaracōn mencōned to witt the feather bed rugg pillow and bolster, two blanketts & two gunns & the two Soves in manner & forme as the said Philip hath above against him declared And of this he putts himselfe upon the Countrey And the said plaintiffe likewise. Which issue being thus joyned, the said parties by their Attorneys aforesaid referred themselves to the judgem^t of the Court of & upon the p^rmises, with release of Errors each to the other of the judgem^t to be given thereupon And the said Michael Miller maketh Oath in open Court, that the Goods & Chattels in the declaracōn above mencōned or any of them never came to his possession Therefore itt is considered that the aforesaid Philip Denny take nothing by his writt aforesaid, but be in mercy for his false claime thereupon prosecuted And the aforesaid Michael may goe thereof without day And that the said Michael recover against the said Philip Denny the sume of ffive hundred sixty eight pounds of tobacco for his costs & charges by him about his defence in this behalfe sustained, to the said Michael by the discretion of the Justices here adjudged And the said Michael may have thereof Execucōn

John Aylward ag ^t	}	Thomas Clarke M ^r chant was Sumōned to answer unto John Aylward in a plea that he render unto him his reasonable accompt of the tyme he was Receiver of the tobacco of him the said John which to him to render he ought
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And the said Thomas Clarke by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c And the said John Aylward although solemnly called came not to preferr his declaracōn & prosecute his writt agst the said Tho: Clarke Therefore itt is considered by the Court here this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doni 1678 that the said John Aylward take nothing by his writt, but be in mercy for his false claime thereupon prose-