

Liber W. C. Mill aforesaid workman like before the last day of Septemb^r next, & to cause the said Mill to goe well stedily & substantially without fault as should be adjudged by sufficient workmen And the said Thomas in fact saith, that he did make unto the said Edward full satisfaction for the performance of the said worke & for all his demands for compleating thereof yet notwthstanding the said Edward his promise & assumption aforesaid little regarding, but deviseing how to defraud the said Thomas in this behalfe, the said Cogg-wheel hath not made, nor the trunnell heads aforesaid, nor the said Mill hath finished according to his assumption aforesaid, but the same hath left undone, to the damage of the said Thomas tenn thousand pounds of tobacco, & thereupon he bringeth his suite.

And the said Edward by Christopher Rousby his Attorney cometh & defendeth the force & injury when &c and informed the Court that the p^t is a fforeigner, and therefore requested that he might giue security to pay unto the Defend^t costs of suite, If the aforesaid p^t shall happen to be Nonsuited or cast therein: which the Defend^t Attorney refusing to give Therefore itt is considered by the Court here this day to witt the Eleventh day of ffeb^r in the fifth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Anoq^o Doni 1679 that the said Thomas Clayborne take nothing by his writt, but be in mercy for his false clayme thereupon, And the said Edward may goe thereof without day And also that the p. 141 said Edward Barrowcliffe recover against the said Tho: Clayborne the Summe of seven hundred pounds of tobacco for his costs and charges by him about his Defence in this behalfe laid out & expended And the said Edward may have thereof Execucōn

Roger Baker }
 ag^t } The jurors in this cause upon their Oaths doe say,
 Mich^l Higgins } that if this Court shall judge the receipt to be a good
 receipt, then they finde for the p^t But if this Court
 shall judge the receipt to be no good receipt, then
 they finde for the Defend^t And because the Justices here will advise
 themselves of & upon the Verdict aforesaid before they giue judgm^t
 thereupon, day thereof is given to the parties aforesaid untill the
 morrow following. On which day to witt the Seventeenth day of
 ffebruary in the yeare aforesaid cometh as well the said p^t as the
 said Defend^t by their Attorneys aforesaid And hereupon the receipt
 aforesaid of the said Defend^t being seen, itt seemeth to the same
 Justices here, that the same receipt is a good receipt And the said
 Michael by his Attorney aforesaid moved in Arrest of judgm^t day
 is thereupon given to both parties untill next Provintiall Court

W^m Calvert Esq^r }
 ag^t } The Defend^t not appearing this Court to An-
 Tho: Long } swere the p^{ts} action, John Stanesby Sheriffe of
 Baltemore County is amerced forty shillings