

said Benjamin hath not rendred, but hitherto hath denied & still doth deny to render the same, whereupon the said Benjamin saith he is the worse & hath losse to the Value of twelve thousand pounds of tobacco & thereupon he brings his suite Liber W. C.

And the said John Quigley by Robert Ridgely 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

Att which said next Provinciaall Court to witt the fifteenth day of Octob^r in the fourth yeare of the Dominion of the right Hon^{ble} Charles Lord Baltemore &c Annoq³ Doni 1679 came the said parties by their Attorneys aforesaid And the said John Quigley by his said Attorney saith that he cannot deny the aforesaid action of the aforesaid plaintiffe neither but that he was Receiver of a Negro of the proper Goods of the said Benjamin, to M^rchandize & render an Accompt thereof, & further saith that he is ready to accompt thereof And prayeth Auditors to Audite the said Accompt And the plaintiffe likewise Therefore itt is considered that the aforesaid Defend^t accompt with the said plaintiffe of the Negro aforesaid by the tyme aforesaid received in the forme in w^{ch} the plaintiffe hath above declared against him And hereupon Gerard Slye & John ILewellin gentl in the presence of the same Defend^{ts} Attorney aforesaid are appointed Auditors by the Court here to heare the said Accompt so that they make report thereof to the Justices of the said Court att the City of S^t Maryes on the tenth day of ffeb^{ry} next

Benj ^a Rozer Esq ^r	}	Thomas Allanson of Charles County in the Province of Maryland was Sum ^{oned} to Answer unto Benjamin Rozer M ^r chant in a plea that he render unto him tenn Thousand nine hundred thirty foure pounds of tobacco & caske which to him he oweth & unjustly detaineth
ag ^t Tho: Allanson		

And whereupon the said Benjamin Rozer by Christopher Rousby his Attorney saith, that whereas the said Thomas Allanson the first day of June Anno Doni 1678 by his certaine writeing obligatory Sealed with the Seale of him the said Thomas here in Court produced whose date is the same day & yeare above mencōned, did acknowledge himselfe to be holden & firmly bound unto M^r Benj^a Rozer of Charles County M^rchant his heyres Ex^{rs} Adm^{rs} and assigns in the just & intire quantity of tenn thousand nine hundred thirty foure pounds of good sound M^rchantable leafe tobacco in Cask, to the which payment well & truely to be made he the said Thomas Allanson did binde himselfe his heyres Ex^{rs} & Adm^{rs} firmly by those p^rsents Neverthelesse the said Thomas Allanson the said Sum^e of tenn thousand nine hundred thirty foure pounds of tobacco unto him the said Benjamin Rozer though often thereunto required p. 34