

vinciall Court Transmitt to his Lordships Governour and Council Sitting as a Court of Appeals and Errors the following Record on An Appeal made by Ariana Bordley Ex^{rx} of Thomas Bordley Esq^r Deced from the judgment of the Provinciaall Court the tenour of which follows in these Words Viz^t: In the Records and Proceedings of the Provst Court of the Province of Maryland Amongst other things is Contained as followeth.

MARYLAND ss^t At a Provinciaall Court Held at [838] The City of Annapolis in the County of Ann Arundell for the Province of Maryland on the third Tuesday of May being the 21st Day of the same month in the fourteenth Year of the Dominion of the Right Hon^{ble} Charles absolute Lord and Propry of the Provinces of Maryland and Avalon Lord Baron of Baltemore etc: Annoque Domini 1728.

Were Present: The Hon^{ble} William Lock; Roger Woolford; Phillip Lee; John Smith; Benjamin Tasker, Esq^{rs} Justices.

James Govane Sher:

Vachel Denton Cl.

[MH:] The Lord Proprietary v [PK: EJ] Roger Mathews

MARYLAND ss^t: Roger Mathews of Baltemore County Gen^t als: Dict: Roger Mathews of Baltemore County in the Province afores^d was Summoned to Answer unto his Lordship the Lord Prop^{ry} of a Plea that he render unto him the Just Quantity of two Hundred thousand pounds of good sound Merchantable Leaf Tobacco and Cask which to him he Oweth and Unjustly Detaineth etc.

And Whereupon Mich^{ll} Howard Esq^r his Lordships attorney Generall of The Province Afores^d Who for the said Lord Propry on this behalf Prosecuteth Sayth that whereas the said Roger Mathews the Eighth Day of June Anno Dom: Seventeen Hundred and Twenty One at Baltemore County afores^d by his Certain Writing Obligatory Acknowledged himself to be held and firmly bound unto the afs^d Lord propry in the afs^d Sum of two Hundred Thousand Pounds of Good Sound Merchantable Leaf Tobacco and Cask to be paid unto the said Lord Propry when thereto he should be required Nevertheless the afs^d Roger altho' often required the afores^d Two hundred thousand pounds of good Sound Merchantable leaf Tob^a and Cask to the same Lord Propry hath not Yet rendered But the Same to him hitherto to Render hath Denied and Gainsaid and Still Doth deny and Gainsay Wherefore he says he is the worse and hath Loss to the Value of One hundred thousand pounds of Tobacco And this for the said Lord Propry the said Attorney Gen^{tl} is ready to verifie and the said att^{ry} Gen^{tl} Brings hereinto Court the writing afs^d which Testifies the Debt afs^d in form afores^d Whose Date is the Day and Year Abovesaid etc.

And the said Roger Mathews by Edmond Jennings his attorney Comes and Defends the force and Injury when etc: And Prays Leave to imparle