Discharge of the aforesaid debt of thirty thousand pounds of tobacco due to the said Joseph from the said Benjamin as aforesaid And would procure a sufficient receipt and discharge against the said debt of thirty thousand pounds of tobacco under the hand of the said Joseph Eaton for him the said Benjamin And would bring & deliver the same receipt unto him the said Benjamin Roger And the said Benjamin in fact saith, that he the said Benjamin trusting to the promise & assumption aforesaid of him the said John Quigley, afterwards to wit the twentieth day of January One thousand six hundred eighty eight did pay & satisfie unto the said Arthur Taylor the same or quantity of thirty thousand pounds of tobacco for the account of the said John Quigley, & did take a receipt for the same under the hand of the said Arthur as paid to him the said Arthur by him the said Benjamin by the order & for the account of him the said John Quigley. Yet the said John Quigley his promise and assumption aforesaid little regarding, but plotting & contriving him the said Benjamin not only of the said thirty thousand pounds of tobacco wholy to defraud & debtie but also to bring the said Benjamin unto disrepute in his reputation with Merchants & dealers in this Province, the said same or quantity of thirty thousand pounds of tobacco in discharge of the said debt of thirty thousand pounds of tobacco due to the said Joseph from the said Benjamin as aforesaid hath not paid nor any part thereof, nor a receipt & discharge under the hand of the said Joseph against the said debt of thirty thousand pounds of tobacco unto the said Benjamin hath not brought & delivered though often thereunto required, but the same thirty thousand pounds of tobacco to pay to the said Joseph in discharge of the said debt of him the said Benjamin, & a receipt & discharge for the same under the hand of the said Joseph unto the said Benjamin to bring & deliver altogether refuseth. whereupon the said Benjamin saith he is the worse & hath lost to the value of fifty thousand pounds of tobacco & thereupon he brings his suit —

And the said John Quigley by Robert Ridgely his Attorney cometh & defendeth the force & injury when & where & prayeth liberty to imparle hereunto until next Provincial Court & it is granted unto him, the same day is given to the plaintiffe also &

At which said next Provincial Court to wit the fifteenth day of October in the fourth year of the Dominion of the right Hon.ble Charles Lord Baltemore & Anno Dom. 1679 came the said parties by their Attorneys aforesaid And the said John Quigley by his said Attorney saith that he did not assume & promise in manner & forme as the said Benjamin Roger above against him hath complained & of this he puts himself upon the Court And the plaintiffe likewise. Which being read & heard & by the Justices here fully understood & seemeth to the same Justices that the said John Quigley did assume & promise in manner & forme as the plaintiffe above against him hath complained Therefore it is considered that the said Benjamin Roger recover against the said John

John Quigley his damages sustained by occasion of this Suit but because it is not known what damages the aforesaid Benjamin hath sustained by occasion thereof It is ordered that a writt of Enquiry of damages issue returnable at the next Provincial Court —

Benj.a Roger Ex.r
vj.
John Quigley —

John Quigley late of S.t Mary's County Merchant was summoned to answer unto Benjamin Roger Merchant of a plea that he render unto him the said Benjamin his reasonable account of the time he was the Receiver of the Goods of him the said Benjamin to Merchandize & render an account thereof —

And whereupon the said Benjamin by Christopher Rousby his Attorney saith, that whereas the aforesaid John Quigley from the twentieth day of November one thousand six hundred & thirty eight untill the first day of May One thousand six hundred & seventy nine was the Receiver of the Goods of him the said Benjamin And by the same time received of the Goods of him the said Benjamin that is to say in Charles County in the Province aforesaid by the hands of him the said Benjamin one Negro of the value of Eight thousand pounds of tobacco to dispose of in the way of Merchandize for the profit of him the said Benjamin And to render a reasonable account thereof when thereunto required. Nevertheless the said John though often thereunto required his reasonable account aforesaid unto the said Benjamin hath not rendered, but hitherto hath denyed & still doth deny to render the same, whereupon the said Benjamin saith he is the worse & hath lost to the value of twelve thousand pounds of tobacco & thereupon he brings his suit —

And the said John Quigley by Robert Ridgely his Attorney cometh & defendeth the force & injury when & where & prayeth liberty to imparle hereunto until next Provincial Court & it is granted unto him, the same day is given to the plaintiffe also.

At which said next Provincial Court to wit the fifteenth day of October in the fourth year of the Dominion of the right Hon.ble Charles Lord Baltemore & Anno Dom. 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 Merchandize & render an account thereof. Further saith that he is ready to account thereof And prayeth Auditors to audite the said account And the plaintiffe likewise. Therefore it is considered that the aforesaid Defend.t account with the said plaintiffe of the Negro aforesaid by the hand aforesaid received in the forme in which the plaintiffe hath above declared against him And whereupon Gerard Slye & John Llewellin gentl. in the presence of the same Defend.ts Attorney aforesaid are appointed Auditors by the Court here to hear the said Account & settled they make report thereof to the Justices of the said Court at the City of S.t Mary's on the tenth day of next —

Benj.a Roger Ex.r
vj.
Tho. Allanson —

Thomas Allanson of Charles County in the Province of Maryland was summoned to answer unto Benjamin Roger Merchant in a plea that he render unto him tenn thousand nine hundred thirty four pounds of tobacco & trifle which to him he oweth & unjustly detaineth —

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