Maryland ff: William Burges late of Anne Arundell County gent: and Richard Hill of the same County gent Admr of the goods and chattells of Samuel Withard deceased were attached to answer unto Barnaby Punt of a plea of trespass of the Case &c

And whereupon the said Barnaby Punt by George Parker his Attorney complaineth that Whereas the said Barnaby Punt and the said William Burges (viz, Lewett) the twelfth day of August in the yeare of our Lord God 1674 att the City of London accompt together, and upon that accompt the said William Burges and Richard Hill were found to bee in arrears and indebted unto the said Barnaby Punt as being then Admr of the goods and chattells of the said Samuel Withard in the summe of forty five pounds and shilling and two pence of sterling money of England as by a certain accompt under the hand of the said William Burges here in Court produced may appear, and the said William Burges & Richard Hill being soe indebted to the said Barnaby Punt, In consideration whereof the said William Burges did then and there assume upon himselfe and did faithfully promise that hee the said William Burges and Richard Hill the said summe of forty five pounds and shilling and two pence to him the said Barnaby Punt when thereunto required would well and truly pay and satisfie and pay Notwithstanding which the said William Burges hee promise & assumption soe as aforesaid made little regarding, but deviseing and fraudulently intending him the said Barnaby Punt of the said summe of forty five pounds and shilling and two pence soe to him as aforesaid due the said William Burges and Richard Hill though often thereunto required according to his promise and assumption in that behalfe made have not satisfied or paid, every farthing for the same given, To the damage of the said Barnaby Punt whereupon he saith that hee is damnified, and hath losse to the value of Eighty pounds sterling money of England, And thereupon he brings his suite

And the said William Burges by Robert Carvell his Attorney comes and defendeth the force and injury when &c, and saith that he hath nothing to say in barr of the action aforesaid against him declared, but that the said Barnaby Punt ought not to ought the estate of the said Samuell Withard the aforesaid summe of forty five pounds and shilling and two pence sterling wherefore cetera confiteor by the Court here this day granted the tenth day of October in the fourth yeare of the Dominion of the Right Honble Charles Lord Baltimore &c Anno Dom 1679 that the said Barnaby Punt ought of the estate of the said Samuell Withard against the aforesaid summe of forty five pounds and shilling two pence sterling as also five hundred forty four pounds of tobacco estate of suite, And the Defend in mercy &c

And the said Richard Hill by Robert Ridgely his Attorney comes and defendeth the force and injury when &c, and prodefato est the aforesaid Judgment of the said William Burges to the aforesaid action of the said Barnaby Punt of the estate of the said Samuell Withard and disclaimeth thereunto, and prayeth liberty to imparle hereunto untill next Provincial Court

Soe hereby authorize and appoint you to accept of Declaration, and to appeare for me at the suite of Barnaby Punt in an action by him commenced against me as one of the Administrators of Samuell Withard deceased, and to confess Judgment for the summe of forty five pounds and shilling & two pence Sterling for soe doing this shall bee your Warrant Given under my hand this tenth day of October Anno Domini 1679

To Robert Carvell one of ye Attorneys of ye Provincyall Court

William Burges

Wardsd: Henry Bonner

John Quigley ag: Joseph Eaton

Comand was given to the Sheriffe of Charles County that he should attach any the Goods or Chattles of Joseph Eaton if they should be found in his Bailiwick to the value of thirteen thousand three hundred forty four pounds of tobacco and when he had the same so attached or any part thereof the same in his custody to keep until the said Joseph Eaton should by himselfe or his Attorney appeare this the Seventh day of October in the fourth yeare of the Dominion of the right Hon:ble Charles Lord Baltimore &c Anno Dom 1679 to answer unto John Quigley in a plea that he render unto him his reasonable accompt of the time he was receiver of the Goods Marchandise & tobacco of him the said John. On which said Seventh day of October the same Sheriffe made returne of the writ aforesaid, that by vertue thereof he had attached in the hands of Cod Benj: Rozer the quantity of eight thousand five pounds of tobacco whereupon the said John Quigley by Robert Ridgely his Attorney prayed that the aforesaid quantity of tobacco might be condemned unto him upon giving security according to Act of Assembly in that case made & provided it is granted by the Court here

Now here att this day to wit the tenth day of October in the yeare aforesaid came the said John Quigley with John Hamilton & James Mill his Sureties who undertooke for the said John Quigley in the Sume of Eight thousand five pounds of tobacco to indemnifie this Court against all actions suits or other matters that may happen touching or concerning the above said attachment. And shall make restitution of the above said Eight thousand five pounds of tobacco or the value thereof. In case the said Joseph Eaton or his Attorney shall within one yeare & a day make his just & due defence & prosecute an in the said action in common forme & make it appeare that the said Mr Quigley is satisfied his just demand

And now here at this day to wit the fourteenth day of Octobr in the yeare aforesaid, the Court hearing demanded of the Attorney of Cod Benjamin Rozer now present in Court if he were indebted to the said Joseph Eaton the said Sume of Eight thousand & two pounds of tobacco that was so attached in his hands, & he replyed that he was indebted the said Sume by bill to the said Joseph Eaton, but that the bill was in Eaton's hand & demanded of the Court which way he should be secured & discharged against his bill, & the Court were of opinion, that the security given into this Court by the said John Quigley upon the said attachment was as much as could be expected for the security of the Court, & thereupon the Court condemned the said

(tobacco