dud the said Griffith found in his own proper person came and defended the force and injury when &c and prayed liberty to imparle to the next provinciall Court and it is granted unto him, and the same day is given to the plt also —

Now heard at this day to wit the two and twentith day of March in the yeare of the Dominion of Charles &c Annoq; Dñi 1684 came the said parties and by their Attorney aforesaid, dud the said Griffith found in his own proper person dud the said Griffith saith that he never was robber of the plts tobacco as in his Declaration hath alledged, dud therefore prayd that it may be enquired of by the Country dud the said Nicolas Mardis likewise — Whereupon it was commanded the Sheriffe of St Maries County that he returne to this Court twelve &c by whome &c and who neither &c to recognize &c because &c as well &c — On which said two and twentith day of March in the yeare aforesaid came the said parties dud their severall pannells — likewise came being called to wit Thomas Downes Robert Coates Ralph Shaw Simon Dawkins Nicolas Harbert Andrew Saunders Thomas Abbot William Thomas Simon Stary Robin Nobles Thomas Smith and Thomas Elliot — who being elected tryed and sworne to say the truth in the matter &c Upon their oathes doe say &c Wee find that the said Griffith found never was robber of any the plts tobacco as in his Declaration hath alledged — Wherefore it is considered by the Court here that the said Nicolas Mardis take nothing by his said writt but be in mercy for his false clamor &c And dud that the said Griffith found good cause of Court day and date &c Which further considered by the Court here that the said Griffith found recover against the said Nicolas Mardis the summe of pounds of Tobacco for his cost and charges about in this behalfe sustained laid out & expended according to the forme of the Statute in such case made & provided —

William Burgis Esqr. }
ag. }
Elizabeth Calbert — }

Marylandsc: Elizabeth Calbert late of St Maries County Admrx &c of the goods and chattells of William Calbert Esqr. deceased was attached to answer unto William Burgis Esqr. of a plea of Detinue &c as by the Writt &c And whereupon the said William Burgis by George Parker his Attorney saith that whereas the said William Calbert in his life time & to wit the twenty eight day of April in the yeare of our Lord 1682 at the City of St Maries had accompted with the said William Burgis of divers summes of Tobacco due for sundrie goods wares and merchandizes to the said William Calbert at his request sold and delivered by the said William Burgis And upon that account the said William Calbert was found in debt to him the said William Burgis in three thousand foure hundred fourty and three pounds of Tobacco and for being therefore in debt he the said William Calbert did assume upon himselfe and to the said William Burgis then and there faithfully promise to pay to the same William Burgis the aforesaid summe of 5773: of Tobacco when he should be thereunto requested Nevertheless the said William Calbert in his life time and the said Elizabeth after the death of the said William the promise and assumption of the said William Calbert in his life time aforesaid, made little regarding but the said William Calbert in his life time craftily & subtilly intending the said William Burgis of the said 5773: of Tobacco craftily and subtilly to defraud and defeate the said William Calbert in his life time nor the said Elizabeth after the death of the said William Calbert the aforesaid summe of 5773: of Tobacco to the said William Burgis although the said William Calbert in his life time by the said William Burgis was thereunto often requested have not payd nor although after the death of the said William Calbert to wit the Elizabeth Calbert after the said twenty eight day of October in the yeare of our Lord 1683 at Calberts Rest in St Maries County aforesaid by the said William Burgis likewise requested

and although the goods wares and chattells of the said William Calbert at the time of his death, which came to the hands of the said Elizabeth after the death of the said William Calbert at Calberts rest aforesaid and then and there in the hands of the said Elizabeth are sufficient & will to pay and discharge all the debts and funerall expences of the said William Calbert as to satisfie the said William Burgis of the said five thousand foure hundred foure & fourty pounds of Tobacco The said William Calbert in his life time nor the said Elizabeth after the death of the said William Calbert hath not yet nor either of them hath paid whereby the said William Burgis hath and sustained damage to the value of 5773: of Tobacco in lawfull selling buying and bargaining might have lawfully obtained and had & wholly lost to the damage of the said William Burgis of one thousand pounds of Tobacco dud therefore he brought his suite dud the said Elizabeth Calbert by Anthony Underwood her Attorney comes & defends the force and injury when &c and prayes liberty to imparle to the next provinciall Court dud it is granted unto her & the same day is given to the plt likewise —

Now heard at this day to wit the two & twentith day of March in the yeare of the Dominion of Charles &c Annoq; Dñi 1683 came the said William Burgis by his Attorney aforesaid dud the said Elizabeth Calbert by her Attorney aforesaid likewise came dud the said Elizabeth had no sufficient matter of any matter to plead in bare of the action aforesaid, Whereupon it is considered by the Court here that the said William Burgis recover against the said Elizabeth Calbert the Debt and detinue aforesaid, viz the summe of five thousand foure hundred foure & fourty five pounds of Tobacco damages & one thousand by their rest passed aforesaid, as also the summe of six hundred Eighty and six pounds of Tobacco rest of suite —

William Burgis Esqr. }
ag. }
Elizabeth Calbert }

Marylandsc: Elizabeth Calbert late of St Maries County Admrx &c of the goods and chattells of William Calbert Esqr. deceased was attached to answer unto William Burgis Esqr. of a plea of Detinue &c as by the Writt &c

And whereupon the said William Burgis by George Parker his Attorney saith that whereas the said William Calbert in his life time & to wit the twenty eight day of April in the yeare of our Lord 1682 at Malta Pany in the County Calbert did owe & unto him the said William Calbert in his life time the summe of Three pounds of lawfull money of England which he should be thereunto & upon the said William Calbert in consideration thereof did then and there assume & upon himselfe and to the said William Burgis faithfully promise that he the said William Calbert the said summe of Three pounds sterling to him the said William Burgis when he should be thereunto requested would well and truely content and pay & notwithstanding the said William Calbert in his life time and the said Elizabeth after the death of the said William Calbert his promise (and) assumption of the said William Calbert in his life time aforesaid, made little regarding but the said William Calbert in his life time craftily & subtilly intending the said William Burgis of the said Three pounds craftily & subtilly to defraud and defeate the said William Calbert in his life time nor the said Elizabeth after the death of the said William Calbert the aforesaid Three pounds to the said William Burgis although the said William Calbert in his life time by the said William Burgis were thereunto often requested have not payd dud although often the said Elizabeth after the death of the said William Calbert by the said William Burgis to wit the six and twentith day of November in the yeare of our Lord 1683 at Calberts rest in St Maries County aforesaid likewise requested dud although the goods and chattells which were of the said William Calbert at the time of his death which came to the hands of the said Elizabeth after the death of the said William Calbert at Calberts rest aforesaid and then and there in the hands of the said Elizabeth are sufficient & will to pay and discharge all debts & funerall Expences of the said William Calbert as to satisfie the said William Burgis