and thou allsoe say Languishing of a very Sore disease and in Consideration
that the said James being a Chirurgeon and Practitioner in Physick —
would well and truly Applye Medicines to him the said Thomas and would use
his best Endeavour to Recover him from his indisposition that then the
said Thomas upon himself Assumed and to the said James he faithfully
promised that he the said Thomas would well and truly Content and pay
unto him the said James soe much Tobacco as the said James for his Medicines
Visits and paines in his Applications should reasonably deserve and the
said James in Fact Saith that he giving Credit to the promise and —
Assumption of the said Thomas and relying thereon did upon the
first day of June 1696 and soe at Severall times untill the 23d day of
August following visit the said Thomas and administred divers Medicines
to him and did use his best Endeavour to Recover him from his indisposition
and a Particular Accott whereof is Ready in Court Brought for all which Visits
and Attendances and Physick administred he saith he did and doth reason
ably deserve the Sum of three thousand nine hundred and Sixty pounds
of Tobacco Neverthe[less] the said Thomas his promise and Assumption soe as
aforesaid not minding or regarding but plotting and Contriving him
the said James in this behalf craftily and Subtilly to deceive and defraud
the aforesaid Sum of 3960 lbs of Tobacco or any part thereof unto the said James
he hath not paid although the said Thomas to doe and ffound the same
the 20th day of March 1697 and at divers other days and times Since and
Hath Lastly & yet hath beene thereunto required But the same to him to pay
he doth deny to the Damage of the said James Six thousand pounds of
Tobacco and thereupon brings his Suit

And the said Thomas by Wm Deul his Attly Cometh and defendeth ye force
and Injury when & where and Saith that he did not Assume upon himself in
manner and forme as the Plaintiff in his Declaracon hath Complayned

and of this he puts himself upon the Country and ye Plaintiff allsoe
Com[man]d [illegible] thereof to be given to the Sheriff of Anne Arundell County that
forthwith he Cause to Come hither twelve or more by whome & whereby the
truth may be the better knowne as well & the Partyes as the Sheriff indifferent thereof
that he had thereupon twelve or more Lycke persons that were Sworne and Charged
to passe upon their Oathes Edward Lane Edward Talbott Robert Wade Richard Smith Robert
Johnson Chapman Benj Hall Thomas Hodson Thos Howard and Richard Nelson
Now here at this day to wit the Eleventh day of May in the Eleventh Year
of the Reign of King William the third of England &c Annoq Domi 1699
Came the Plaintiff & Defendant by their Attorneys aforesaid and the Jurors aforesaid Impannelled as
aforesaid being called Elected and Sworne to speake the truth concerning the premisses upon their Oathes doe say Love
ford for the Plaintiff fifteen hundred pounds of Tobacco his Damages —
Whereupon it is Considered by the Court that the said James doe Recover
of the said Thomas soe as well the Summe of three hundred
pounds of Tobacco his Debt & Damages by the verdict aforesaid as allsoe the
Summe of a Thousand Severall hundred pounds of Tobacco by the Plaintiff and the
Defendant in Mercy

Mordecai Marquis of Bury &c
Lord Proprietary &c
Katherine Montgomery Wife of Sir Henry

William the third by the Grace of God of England Scotland
France and Ireland King Defender of the Faith &c To the Sheriff
of Calvert County Greeting We Command you that you
Attach any of the Estate Goods or Chattells of George Parker
late deceased in the hands as well of one hundred & twenty
pounds Sterling Money of England as allsoe the Summe of two thou-
sand eight hundred pounds of Tobacco in Plaine Deb and Detl recovered
against Katherine Montgomery Wife of the Last will and Testament of
the said George before the Justices of our Provinciall Court the fifteenth
day of August in the Year of our Lord one thousand six hundred Ninety
and five and whereof she is Convict and whereas you have thereto fore