

unto him three thousand nine hundred & sixteene pounds of tobacco which to him he oweth & unjustly detaineth, On which said Seventh day of October the same Sheriffe made returne of the writt aforesaid, that by Vertue thereof he had Attached in the hands of Matthew Herman who married the Adm<sup>x</sup> of Robert Casselton foure hundred pounds of tobacco. Liber W. C.

Maryland ss :

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William Burges late of Ann Arundell County gent, and Richard Hill of the same County gent Adm<sup>rs</sup> of the goods and Chattells of samuel Withers deceased were attached to Answer unto Barnaby Dunch of a plea of trespas of the Case &c

And whereupon the said Barnaby Dunch by George Parker his Attorney Complayneth that Whereas the said Barnaby Dunch and the said William Burges Did, (to witt) the twelfth day of August in the yeare of our Lord God 1678 att the City of London accompt together, and upon that acco<sup>t</sup> y<sup>e</sup> said William Burges and Richard Hill was found to bee in arreares and indebted unto the said Barnaby Dunch as being then Adm<sup>rs</sup> of the goods and Chattells of the said samuel Withers in the sume of forty five pounds one shilling and two pence of sterling money of England as by a pticular acco<sup>t</sup> under the hand of the said William Burges here in Court pduced may appeare, and the said William Burges & Richard Hill being soe indebted to the said Barnaby Dunch, In Consideracon 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 sume of fforty two pounds one shilling and two pence to him the said Barnaby Dunch when thereunto required would well and truly Content satisfie and pay Notwithstanding which the said William Burges his promise & assumption soe as aforesaid made little regarding, but deviseing and fraudulently intending him the said Barnaby Dunch of the said sume of forty five pounds one shilling and two pence soe to him aforesaid due the said William Burges and Richard Hill though often thereunto required according to his promisse and assumption in that behalfe made have not satisfied or paid, or any Content for the same given, To the greate damage of the said Barnaby Dunch whereupon hee saith that hee is damnified, and hath losse to the vallue of Eighty pounds sterling money of England, And thereupon hee brings his suite

And the said William Burges by Robert Carvile his Attorney cometh and defendeth the force and Injury when &c, and saith that hee hath nothing to say in barr of the accōn aforesaid above ag<sup>t</sup> him declared but that the said Barnaby Dunch should recov<sup>r</sup> ag<sup>t</sup> the estate of the said Sam<sup>ll</sup> Withers the aforesaid sume of fforty five pounds one shilling and two pence ster Therefore itt is Considered by y<sup>e</sup> Court here this day to witt the tenth day of October in the