

Liber JJ the Court here to witt the sixteenth day of April in the xxxviii<sup>th</sup> yeare of his Lōpps Dominion that the said Thomas recover against the said John Allen of the estate of the said John Hitchinson the aforesaid summe of foure thousand foure hundred sixty nine pounds of tobacco with costs of suite.

John England ag<sup>t</sup> } George Beckwith late of the County of Calvert  
 George Beckwith { planter was attached to answer John England in a plea of trespas upon the case And whereupon the said John England by John Morecroft his Attorney saith that whereas the said John England the twenty second day of may in the six and thirtith yeare of the Dominion of Caecilius &c at petuxent in the County aforesaid had bought of Christopher Birkhead marriner two hoggesheads of bread and One hoggeshead of malt and the same haveing so bought as is aforesaid the said John with the consent & likeing of the said George and in consideration that he the said John did then and there assume upon himselfe and to the said George did faithfully promise that he the said John would pay to him the said George reasonable storage did putt the said two hoggesheads of bread and the said One hoggeshead of malt into the tobacco-house of him the said George and them there left in the Custody and Safe Keepeing of him the said George in consideration whereof he the said George did assume upon himselfe and to the said John did then and there faithfully promise that he the said George the said two hoggesheads of bread and One hoggeshead of malt safely would keepe and them to the said John when thereunto required the said John paying reasonable storage for the same would deliver notwithstanding which the said George his promise and assumption little regarding but diviseing and fraudulently intending him the said John of the said two hoggesheads of bread and the said One hoggeshead of malt utterly to deceive and defraud the said two hoggesheads of bread and the said One hoggeshead of malt to him the said John though often thereunto required the said John proffering to pay him the said George reasonable storage for the same hath not delivered but doth altogether refuse to deliver the same to the great damage of him the said John whereupon he saith he is dampnified and hath losse to the value of ten thousand pounds of tobacco And thereupon he bringeth his suite

And the said George Beckwith by Robert Carvile his Attorney cometh and defendeth the force and injury when &c and saith he did not make such promise or assumption as the said John England hath [p. 87] in the said Declaration above alleadged and of this he putts himselfe upon the Country and the said John England also therefore Comānd is given to the Sheriff of S<sup>t</sup> Maries County that he immediately cause to come here twelve &c who neither &c because aswell &c.

Afterwards to witt the fourteenth day of April in the xxxviii<sup>th</sup> yeare of the Dominion of Caecilius &c came the said John England