

Lord Proprietary at the City of St Maryes thereunto assigned by **Liber M M**
 Kenelm Chiseldyne his Attorney Came and brought then there in
 the said Court his Certeine action ag^t one John Maltby in a plea of
 Trespas upon the Case, the Tenor^r whereof followeth in these words.
 Comaund was given to the Sheriff of St Maryes County that he
 should take John Maltby late of St Maryes Citty Marchant and
 him safely Keepe so that he have his body before the Justices of the
 Provincial Court to be held at the City of St Maryes the 11th day
 of february next to answeere unto John Litchington of a plea of
 Trespas upon the Case at w^{ch} sd day came aswell the sd John Litch-
 ington by Kenelm Chiseldyne his Attorney as the sd Maltby in his
 pp pson by the Sheriff of the County aforesayd brought to the barre,
 and the sd Sheriff now Retornes that he tooke the body of the sd
 Defend^t & that he now had him Ready upon w^{ch} the sd Defend^t
 being ordered by the Court here to put in Special bayle in the sd
 Courte here to answeere the sd action & pay the Condemnacōn or
 rend^r his body to the Keepe of the prison of the Lord Proprietary
 if he should in the sd action be Convict the said Defend^t Rendered
 himself to the prison aforesayd upon w^{ch} the sd John Maltby is by
 the Court Comitted to the sd prison therefor to Remaine untill he
 shall pforme the said ord^r.

John Maltby late of the Citty of St Maryes Marchant was attached
 to answeere unto John Litchington in a plea of Trespas upon the
 Case.

And whereupon the said John Litchington by Kenelm Chiseldyne
 his Attorney Complaineth that whereas the sd John Maltby by the p. 150
 name of John Maltby Marchant by a certeine writing obligatory bear-
 ing date the 23th day of November in the 23th yeare of his Majestyes
 Reigne Annoq̄ Domini 1671 did Covenant bargaine and agree with
 one John Quigley by the name of John Quigley of Virginia Marchant
 that the sd John Maltby and one certeine John Nethway or Either
 of them or their ord^r should well and truly Deliver to the said John
 Quigley or his ord^r at the arrivall of the said ship called the Mary
 of London whereof John Litchington is Comaund^r and then Riding
 at Anchor in the Governm^t of New Jersey and bound for ffall and
 thence to Virginia to say fifty Pypes of Marchantable ffall wines
 to be Rack^t and full upon the Receipt whereof the sd John Quigley
 did thereby p̄mise to pay unto the abovenamed ptyes or their ord^r
 the sume of One Thowsand Two hundred pounds of good Mar-
 chantable Tobacco and Casque to be punctually Delivered within
 thirty dayes after the said ships arivall in Virginia wthout fraud or
 further delay for the Just and true pformance of w^{ch} bargaine or
 Contract they seu^rally bound themselves their heires Executo^{rs} Ad-
 ministrators in the sume of five hundred pounds sterling to be
 leyved on the pty that shall not pforme that agreem^t as by the said
 writings sealed with the seales of y^e sd John Maltby and John Quig-