

And the said Stephen Giff in his said capacity complains y<sup>e</sup> whereas y<sup>e</sup> defend: on the twentieth day of  
 Decemb: in y<sup>e</sup> first year of y<sup>e</sup> Dominion of Charles absolute Lord & Proprietari of y<sup>e</sup> province of Maryland  
 & Avalon Lord Baron of Baltimore was indebted to y<sup>e</sup> pl<sup>t</sup>: Attorne in y<sup>e</sup> sum of quantity of Six hundred  
 weight of tobacco & Caske for severall goods wareh<sup>h</sup> & merchandizes before that time sold & delivered by y<sup>e</sup> pl<sup>t</sup>  
 Attorne: to y<sup>e</sup> said Defendant in consideration whereof y<sup>e</sup> said Defend: did then upon him selfe assume  
 to y<sup>e</sup> pl<sup>t</sup>: attorne: y<sup>e</sup> said sum of tobacco when hee is s<sup>d</sup> Def<sup>t</sup> should bee thereunto required never the lesse y<sup>e</sup>  
 said Def<sup>t</sup> his promise & assumption aforesaid not minding but fraudulentl<sup>y</sup> in this behalf intended the  
 s<sup>d</sup>: pl<sup>t</sup>: attorne: to receive him of y<sup>e</sup> said tobacco hath not paid to y<sup>e</sup> pl<sup>t</sup>: Attorne: nor to y<sup>e</sup> pl<sup>t</sup>: in his capacity  
 y<sup>e</sup> s<sup>d</sup> quantity of tobacco although by y<sup>e</sup> plaintiffs attorne: & y<sup>e</sup> pl<sup>t</sup>: in his capacity y<sup>e</sup> Def<sup>t</sup> hath been offered  
 thereunto required but y<sup>e</sup> same to pay to y<sup>e</sup> pl<sup>t</sup>: attorne: or to y<sup>e</sup> pl<sup>t</sup>: in his behalf hath refused & still  
 doth refuse to y<sup>e</sup> plaintiffs attorne: Dammage twelve hundred pounds weight of tobacco & therefore  
 hee brings this suit: Et ultra in Co<sup>t</sup>: producit his said power of attorney whereby et:

And the Def<sup>t</sup>: by Edward Jones his attorney commeth & defendeth y<sup>e</sup> fore & brings y<sup>e</sup> s<sup>d</sup>: saith there is nothing  
 due to y<sup>e</sup> pl<sup>t</sup>: & desires to see y<sup>e</sup> power whereby they are sued & which power was produced & allowed of:

After y<sup>e</sup> examination of Richard Samuell & James Pressam witnesses on y<sup>e</sup> behalf of y<sup>e</sup> plaintiffs  
 upon their oathes:

This Court findes y<sup>e</sup> there is due to y<sup>e</sup> pl<sup>t</sup>: from y<sup>e</sup> Def<sup>t</sup> Six hundred pounds of tobacco: and orders y<sup>e</sup> y<sup>e</sup> Def<sup>t</sup>  
 Francis Roberts pay to y<sup>e</sup> plaintiffs Joseph Byler or his order Six hundred pounds of tobacco with cost  
 of sute aliad execution: /: ~ ~ ~ ~ ~

At a Court Co<sup>t</sup>: Held y<sup>e</sup> 15<sup>th</sup> Day of March in y<sup>e</sup> second year of y<sup>e</sup> Dominion of y<sup>e</sup> R: Hon: Ch: Charles over Maryland  
 Et Annoq<sup>ue</sup> Domini 1676: before his Ex<sup>cell</sup>: Justices thereunto assigned & authorized: ~ ~ ~ ~ ~

M<sup>r</sup>. Wm: Stevens:

present { M<sup>r</sup>. George Johnson: M<sup>r</sup>. David Browne: } Comm<sup>is</sup>  
 { M<sup>r</sup>. John Winder: M<sup>r</sup>. Wm: Breton: }

John Byler plaintiff - Thomas Poole & pl<sup>t</sup>:  
 Coll<sup>or</sup>: William Colbourne Def<sup>t</sup> Henry Smith & Def<sup>t</sup>:

Summoned fr: Coll<sup>or</sup>: William Colbourne of this Court was summoned to answer unto John Byler Carpenter in  
 execution of his last et: /: ~ ~ ~ ~ ~  
 And whereupon y<sup>e</sup> said John Byler his attorney Thomas Poole Smith y<sup>e</sup> s<sup>d</sup> Colbourne became indebted unto him  
 y<sup>e</sup> said Byler in y<sup>e</sup> year A<sup>o</sup>: 1675: the full & just sum of two thousand one hundred and sixty pounds of tobacco  
 & Caske as y<sup>e</sup> auct: here annexed will more plainl<sup>y</sup> appear but hee is said Colbourne fraudulentl<sup>y</sup> intending  
 him y<sup>e</sup> said Byler to receive of y<sup>e</sup> aforesaid sum of 2190 pounds of tobacco & Caske & since that time doth deny  
 to pay y<sup>e</sup> aforesaid sum although often thereunto required y<sup>e</sup> plaintiffe saith hee is damaged & hath dammage  
 to y<sup>e</sup> value of two thousand eight hundred pounds of tobacco & thereupon brings his suit: p<sup>er</sup> quer: Tho: Poole:  
 Coll<sup>or</sup>: William Colbourne D<sup>o</sup>: in y<sup>e</sup> year A<sup>o</sup>: 1675: ~ ~ ~ ~ ~

To y <sup>e</sup> building of a 30 foot dwelling house	~	~	~	~	~	~	~	~	1400
To a West Chimney	~	~	~	~	~	~	~	~	200
To a small house fifteen foot square	~	~	~	~	~	~	~	~	200
To y <sup>e</sup> mill frame	~	~	~	~	~	~	~	~	150
To y <sup>e</sup> dayes worke at 40 p <sup>er</sup> day in plaining of plautke	~	~	~	~	~	~	~	~	240
									<u>2190</u>

And y<sup>e</sup> said Coll<sup>or</sup>: Wm: Colbourne by his attorney Henry Smith commeth & defendeth y<sup>e</sup> fore & brings y<sup>e</sup>  
 Et saith y<sup>e</sup> they desire y<sup>e</sup> attempt may bee proved otherwise they humbl<sup>y</sup> pray for a nonsuit the Def<sup>t</sup>  
 not appearing personall<sup>y</sup> nor his attorney proving y<sup>e</sup> attempt here in Co<sup>t</sup>: Edward do order a nonsuit

At a Court Co<sup>t</sup>: Held y<sup>e</sup> 13<sup>th</sup> Day of March in y<sup>e</sup> second year of y<sup>e</sup> Dominion of y<sup>e</sup> R: Hon: Ch: Charles over Mary  
 land annoq<sup>ue</sup> Domini 1676: before his Ex<sup>cell</sup>: Justices thereunto assigned & authorized: ~ ~ ~ ~ ~

present { M<sup>r</sup>. George Johnson: M<sup>r</sup>. David Browne: } Comm<sup>is</sup>  
 { M<sup>r</sup>. John Winder: M<sup>r</sup>. William Breton: }