

did Assume upon himselfe and to the Said Samuell Scott faithfully promise and Oblidge himselfe that if the Said William Parker did not pay the Said Sume of Seaven hundred and Seaventy pounds of tobaccoe then that the Said noate Should oblidge him the Said Ninian Beall to pay the Same to him the Said Samuell Scott when he Should be thereunto Required and the Said Samuell Scot in fact Saith that afterwards to witt the day yeare and place aforesaid Speaking to the Said William Parker demanded of him if he would pay the Said noate or order for the Said Sume of Seaven hundred and Seaventy pounds of tobaccoe which then he Shewed him the Said William Parker and the Said William Parker Answered that he would not pay the Said Sume and the Said Samuell Scot in fact further Saith that the Said William Parker at any time Since the Said Sume of Seaven hundred and Seaventy pounds of tobaccoe to the Said [119] Samuell Scott hath not paid nor any manner for the Same Satisfied Yett the Said Ninian Beall his promise and Assumption aforesaid made Little Regarding but deviseing and fraudulently intending him the Said Samuell Scott in this behalfe Craftily and Subtilly to deceive and defraud he the Said Ninian Beall him the Said Samuell Scott the Said Sume of Seaven hundred and Seaventy pounds of tobaccoe to him the Said Samuell Scott Altho Afterwards to witt the day yeare and place aforesaid he was thereunto Required hath not paid but the Same to pay hath denyed and Still doth denye to the damage of the Said Scot 1500 lbs. of tobaccoe and thereupon he bringeth his Suite.

Samuell Watkins pro Querens Pledges etc. John Doe, Richard Roe.

And the Said Ninian Beall by James Cranford his Attorney Cometh and defendeth the force and Injury when etc. and prayeth Lycence thereof to Imparle here untill the next Court and it is granted unto him the Same day is given to the plantiffe alsoe.

Att which Said next Court (to witt) the 26th day of January Annoque Domini 1696 [1697] Came here the Said Samuell Scott by William Bladen his Attorney and prayeth that the Said Ninian Beall to his decleration aforesaid may Answer etc. And the Said Ninian Beall Either by himselfe or his Attorney although Sollemly Called Came not but made Default.

Therefore it is Considered that the Said Samuell Scott Recover against the Said Ninian Beall as well the Said Sume of Seaven hundred and Seaventy pounds of tobaccoe his damages Occationed by the premises as alsoe the Sume of two hundred forty and Six pounds of tobaccoe to the Said Samuell Scott att his Request for his cost and Charges in this behalfe Laid out and Expended and by the Court here Adjudged etc. And the Said Ninian Beall in mercy etc.

This following Atteachment was transmitted out of the Records of Calvert County.

Richard Keene against Thomas Keniston Garnishee of Cato Macdaniell.

Command was given to the Sheriffe of Calvert County that of the goods Chattles and debts of Cato Mackdaniell in any part of his County he Attech as well to the vallew of Eight hundred and fifteen pounds of a Certaine Debt due to the Said Richard Keene from the Said Cato Mackdaniell and Recovered against him in Calvert County Court the 3d Tuesday in September 1695 as alsoe the Sume of three hundred and fifty pounds of tobaccoe Cost of Suite and Likewise that hee Summons any Such person or persons in whose hands he Should Attech the Said goods Chattles or debts to the vallew aforesaid or any part thereof that they be and Appaere before the Justices of our next Calvert