

[205] Gabrell Burnam plantiffe: Edmond Neale Defendant

Prince Georges County Ss. Edmond Neale late of Prince Georges County planter was Attached to Answer unto Gabrell Burnam of a plea of trespass upon the Case etc.

And whereupon the Said Gabrell by William Stone his Attorney Complaineth that whereas the Said Edmond the 28th day of December in the yeare of our Lord 1695 att Calvert County that is to Say at Charles Towne within the Jurisdiction of this Court was Indebted unto the Said Gabrell in the Sume of two hundred forty Seaven pounds of tobaccoe being Soe much tobaccoe due to the Said Gabrell upon the ballance of Account for Ordinary Accomedations as by a pertickeler Account thereof here in Court produced Relation being thereunto had may more at Large Appeare and the Said Edmond to the Said Gabrell in manner aforesaid being Indebted Inconsideration thereof did Assume upon himselfe and to the Said Gabrell then and there faithfully promise that he the Said Edmond him the Said Gabrell the Said Sume of 247 lbs. of tobaccoe when hee Should be thereunto Requested would well and truly Content and pay Nevertheless the Said Edmond his promise and Assumption Soe as aforesaid made not at all Regarding but minding and fraudulently Intending him the Said Gabrell in this behaf Craftily and Subtily to deceive and defraud the Said Sume of 247 lbs. of tobaccoe or any part thereof to the Said Gabrell hath not paid Although the Said Edmond to doe the Same by the Said Gabrell Afterwards the day and place aforesaid was often thereunto Requested but the Same to pay to the Said Gabrell hath denyed and Still doth denye to the Damage of the Said Gabrell of 500 lbs. of tobaccoe and thereupon he brings this Suite etc.

William Stone. Pledges etc. John Doe, Richard Roe.

Edmond Neale Debtor to		Credit
Gabrell Burnam 1694.		per Contra .....
	lbs. tobacco	
To a gallon of Syder 30: to 5		By Major William Barton .... 100
pottles of Syder 75 .....	105	By ballance Due .....
To 2 dyetts 20, to 10 Ears of		247
Corne 10 .....	030	-----
To 2 Lodgins 12, to 5 pottles		347
Syder 75 .....	087	
To 3 pottles Syder .....	045	
October 2d: To a Gallon of		
Syder .....	030	
December 28th 1695 To a gal-		
lon of Syder and a pint of		
Rome .....	050	
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	347	

And the Said Edmond Neale by John Meriton his Attorney Comes and defends the force and Injury when etc. And prayeth Leave thereof to Imparle here untill the next Court and it is granted unto him the Same day is given to the plantiffe Likewise etc. And now at this day (to witt) the 24th day of August Annoque Domini 1697. Came here as well the Said Gabrell Burnam as the Said Edmond Neale by their Attorneys aforesaid and the Said Gabrell Burnam prayeth that the Said Edmond Neale to his Decleration aforesaid may Answer etc. And the Said Edmond Neale by John Meriton his Attorney Cometh and Defendeth the force and Injury when etc. And Saith that he did not Assume in manner and forme as the plantiffe in his Decleration hath Sett forth and thereof he putts himselfe upon the Court. John Meriton