

of the within named George Martin, of the value of Eighty four pounds three Shillings and Eight pence Sterling money and Seventeen hundred pounds of tobacco in the hands of Heber Whittingham and likewise by Hugh Porter and John Doe honest and Lawfull men of my baily wick I have made known unto the said Heber Whittingham that he be and appear at the time and place within contained to show cause &c. as by the within writ I am commanded so answers John Burnale free

And whosoever the aforesaid Heber Whittingham Guarishes of the said George Martin appears in his own proper person and says that he cannot Guarish but that he hath of the Rights and Credits of the said George Martin in his hands to the value of twenty five thousand Seven hundred pounds of tobacco, nor can he say but that the same ought to be condemned in his hands for the use of the said James Donelson as of the Rights and Credits of the said George Martin which a said person doth not Guarish

Whosoever the said James Donelson by his attorney as prays that upon giving Security according to act of assembly in such case made and provided, the aforesaid Sum of twenty five thousand Seven hundred pounds of tobacco as of the Rights and Credits of the said George Martin, so as aforesaid <sup>attached</sup> & Confessed by the said Heber Whittingham, may be condemned in the hands of the said Heber Whittingham towards Satisfying of the said James Donelson of the said Eighty four pounds three Shillings and Eight pence Sterling and Seventeen hundred pounds of tobacco,

Whosoever certain John Caldwell of Somerset County Gent. present here in Court in his proper person undertakes for the said James Donelson, according to act of assembly that if in case the said George Martin do appear at any time within a year and aday, and make all or any part of the said James Donelson Claim, against him, to be Satisfied, or otherwise to be undue before laying of the attachment aforesaid, that then he the said James Donelson, shall make Restitution unto him the said George Martin, of all or such part thereof, shall be so made appear to be undue &c. or that he the said John Caldwell will do it for him &c.

Therefore it is Considered by the Justices here that the said Sum of twenty five thousand Seven hundred pounds of tobacco so as aforesaid attached and Confessed be condemned in the hands of the said Heber Whittingham as of the Rights and Credits of the aforesaid George Martin, towards Satisfying unto the aforesaid James Donelson as well the Sum of Eighty four pounds three Shillings and Eight pence Sterling and Seventeen hundred pounds of tobacco as also all the Costs answering upon the writ of attachment aforesaid and that the said James Donelson have thereof his Execution against the said Heber Whittingham according to act of assembly &c.

Edward Davis Commission and affidavits } Somerset County J. Charles absolute Lord and proprietary of the provinces of Maryland and Avalon Lord Baron of Baltimore &c. To Edward Howard County Gent. Greeting know ye that we have appointed you or any three or two of you to be our Commissioners to Examine Evidences on behalf of a certain Edward Davis of the County aforesaid in relation to the bounds of a tract of Land Lying in the County aforesaid called Guddenborough we therefore Require you or any three or two of you at some time and place as to you or any three or two of you shall seem convenient you meet on the aforesaid Land called Guddenborough you first having taken your oaths on the Holy Evangelist of Allmighty God according to act of assembly