

the aforesaid sume of one thousand Nine hundred Eighty ffoure pounds of Tobacco mentioned in the said plantiffes Declaracon was paid and Satisfyed by the said Robert unto the said William Jones in the life time of the said William and this hee is Ready to averre. Liber W. C.
Whereupon hee demands Judgm^t Whether the aforesaid Collon^l William Burges ought to have his accon against him

George: Parker

And the p^lt sayes that by any thing alleadged above hee ought not to be debarred of his accon, and of this hee puts himself Upon the ~~Country~~ Court

Henry Hanslap

Whereupon John Bird sumoned as an Evidence for the deft deposed as followeth John Bird aged about thirty Seaven yeares being Sworne & Examined in Court sayth that there was a Certaine agreement upon acco^{ts} betweene Docto^r Jones & Robert Procto^r, and that the said Jones disposed of a Certaine Neagro Man to the said Robert Procto^r, In Consideracon of w^{ch} Neagro the sd Proctor passed his specialty for Nineteene hundred eighty ffoure pounds of Tobacco, and this depon^t further Sayth that the said Jones Createing other acco^{ts} wth Robert Procto^r Amounting to above the said Sume of Nineteene hundred Eighty ffoure pounds of Tobacco hee then did Remaine when hee Came to an Acco^t betweene Seaven or Eight hundred in Robert Procto^{rs} debt, and did acknowledge that the bill ought to bee delivered in, and promised to deliv^r the same soone after, and further this Depon^t sayth not: p. 264

Whereas W^m Burges Adm^r of the goods and Chattles of W^m Jones Phisitian deceased intestate was plt and Robert Procto^r deft in a plea of debt and the plt made it to appeare by a Certaine Specialty bearing date the seaven & Twentyeth day of Ap^l 1676, & owned by the defts plea Than the said deft stood Justly indebted to him as Adm^r of the said deceaseds Estate in the sume of Nineteen hundred Eighty ffoure pounds of Tobacco & Casq, And Whereas It doth not appeare by the oath of John Bird nor by any booke of acco^{ts} Either of p^lt or deft. that the Deft hath paid or satisfyed the above-said Specialty, It is Considered here that payment and Satisfaccon of the said debt of one thousand Nine hundred Eighty and ffoure pounds of Tobacco & Casq bee fforthwth made by the said Deft to the said Adm^r or his ord^r Together wth Costs and Court Charges a^ls Execucon

Memorand. that Majo^r John Welsh one of the Justices here above menconed did Request that his Disassent to the Judgm^t here Above might bee Entred on Record

And whereupon George Parker Attorney for the said Procto^r prayed an appeale from the Judgm^t aforesaid, and that the said Cause might Come before his Lopps Justices att his Provinciaall Court to bee held at the City of S^t Maryes on the Eleaventh day of May next Ensewing and that the Tenor of the Record and pro-