

Richard Rich for her son Burdits use which wear seauen in number Liber B
and 4^s in siluer and desired that at his returne hee woold Returne to [p. 11]
this deponant six new ons for them and to haue them marked with
E B of this deponants daughters Childs name and M^r Richard Rich
Braught them in as was affirmed to this deponant by her Cosen
Elisabeth Caluert who had them in her hand and shee demanded
them of M^r Richard Rich who woold not deliuer them to any but to
this deponant and further sayeth not:

whereupon the defendant s^d that the plantiue had arested him and
not as the Attorney of M^r Richard Rich and thearfor most humbly
Craueth a nonsuit which is granted him

James Lee Plantiue } The plantiue Aresting the defendant in
Samuell Price Defendant } an action of the Case prefereth his Peti-
tion as followeth

To the worshipfull Commissioners of Charleses County the
humble petition of James Lee humbly sheweth

That your petitioner being bound for Samuell Price to francis
gray in the quantitie of too thowsand pounds of tobacco and
Caske The premisses Considered your petitioner humbly Craueth
order that the aforsayd Samuell Price may put in to your petitioner
sufficient securitie for the abouesayd sum of tob: and Caske the sayd
Price being non resident (and your petitioner standeth bound with
him) with Cost and Charge of suit and your petitioner shall humbly
Pray

Whereupon the defendant alleged that the plantiue was bound for
his appearance at a Court appoynted to bee held at a certain time in
Verginia at which time thear was no Court thear then held the law
not tiing men to impossibilities your orator humbly Conceaues the
bond to bee uoyd in itself and thearfor most humbly Craueth a non-
suit with Cost and Charge of suit: which is granted and thearfor
ordered that the plantiue shoold bee nonsuited and pay the Cost and
Charge of suit:

Dauid Prichard Sworne and examined in open Court at the Re-
quest of Cap Richard Banckes deliuered his oath as followeth in
wrighting

I whos name is hear underwritten was going to Arest M^r Hagget
in M^r Banckeses suit and hauing receaued the bill of M^r Batchelor to
demand this tobacco in the euening thinking hee had bin at home I
hauing the bill betwixt my fingers as I came up the Alley and from
thence into the hows not finding of him at home I lay thear that
night and a bed was maed afore the fier for mee to ly on and thear [p. 12]
lay with mee that night dauid Thomas the younger and Thomas