

Liber JJ Dominion of Caecilius &c Annoq̄ Domini MDCLXvi by his certeine bill obligatory bearing date the day and yeare abovesaid, sealed with the seale of him the said John, and here in Court brought, did owe and was indebted to the said William in his life time the full quantity of Two thowsand pounds of good sound Marchantable Tobacco and caske to be paid unto the said William or to his certeine Attorney his Executours Administrators or Assignes, on or upon the tenth day of October which was to be in the yeare of our Lord One Thowsand six hundred sixty and Eight at the plantation of the said John, scituate in Herring creeke in the aforesaid County of S<sup>t</sup> Maryes To the which payment well and truly to be made the said John Did binde himself his heires Executours and Administrators firmly by the said Bill Notwithstanding the said John, the said su<sup>m</sup>e of Two thowsand pounds of Tobacco and caske, according to the Tenor and Effect of the said Bill to him the said William in his life time, nor to her the said Mary after the death of the said William while she was sole, nor to the said Daniell and Mary, after the marriage betweene them Celebrated hath not paid but doth altogether refuse to pay the same though thereunto by the said William in his life time and by the said Mary while she was sole & by the said Daniell and Mary after the marriage betweene them Celebrated he hath beene required, to the great Damage of them the said Daniell and Mary, and to the retardation of the Execution of the said Testament whereupon they say they are damnified, and have lost to the vallue of three thowsand pounds of Tobacco, and thereupon they bring their suite and they bring here into Court aswell the bill aforesaid, which witnesseth the debt aforesaid in forme aforesaid, whose date is the day and yeare aforesaid, as also the Letters Testamentary, whereby it may more plainly appeare that the said Mary is Executrix of the said last will and Testament of the said William, and thereof hath the administration.

And the said John by Robert Carvill his Attorney cometh and defendeth the force and Injury when &c, and as to the two thowsand pounds of Tobacco in caske in the declaration mentioned the said Robert saith he is not informed by the said John his client of any answere thereunto to give, therefore the said Daniell & Mary doe remaine against him the said John, as to the said su<sup>m</sup>e of Two thowsand pounds of Tobacco and caske, undefended.

Whereas I am impleaded in the Provinciall Court at the suite of Daniell Jenifer and Mary his wife Executrix of the last will and Testament of William smith deceased in a plea that I render them  
[p. 48] Two thowsand pounds of Tobacco and caske, These are therefore to desire and Empower you Robert Carvill gent<sup>l</sup>, to appeare for me in that ac<sup>co</sup>n, as my Attorney and confesse Judgement for the same unto the said Daniell and Mary his wife for the said su<sup>m</sup>e of Two thowsand pounds of Tobacco and caske, and for so doing this shalbe