

Liber JJ

two thousand six hundred thirty eight pounds of tobacco, which said summe of two thousand six hundred thirty eight pounds of tobacco the Said Jenkin though often thereunto required to the said Richard Atkins in his life time nor to the said Thomas Fisher since his death according to the tenor of the said bill hath not paid whereupon he saith he is dampnified and hath losse to the value of [blank] pounds of tobacco and thereupon he bringeth his suite And the said Thomas Fisher bringeth here in Court the Letters of Administration to him granted of the goods and Chattells of the aforesaid Richard Atkins that it may appeare to the Court here that he hath the administration thereof.

And the said Jenkin price by Robert Carvile his Attorney cometh and defendeth the force and injury when &c and saith that he did in the life time of the said Richard pay unto the said Richard the summe of two thousand foure hundred and eighteen pounds of tobacco in part of payment of the two thousand six hundred thirty eight pounds of tobacco in the declaration abovespecified and this he prayes may be enquired of by the Country and the said Thomas also wherefore it is comanded the Sheriff of s<sup>t</sup> Maries County that he cause to come here twelve &c by whom &c who neither &c because aswell &c and as for the rest of the said summe of two thousand six hundred thirty eight pounds of tobacco being two hundred and twenty pounds of tobacco the said Jenkin doth acknowledge the action whereupon it is considered

The deposition of Richard Keene being Sworne in Open Court saith that Richard Atkins received of Jenkin price two hoggesheads of tobacco which he brought from the easterne Shoare to my house and that Atkins told me that he would allow him two for one and in a short time after he received of Jenkin price another hoggeshead of tobacco at his owne house and when he the said Atkins came home to my house he told me that he had received of Jenkin Price the best hoggeshead of Sweet Sented tobacco that he had seen this yeare and told me that he was to allow him two for one also he brought some of the leaves to me to shew me and further I cannot say. [p. 79]

Richard Keene

Afterwards to witt the eleaventh day of February in the eight and thirtith yeare of the Dominion of Caecilius &c day was given the said Jenkin Price to produce his wittnesses untill the first day of the next provinciall Court.

Richard Bayly ag<sup>t</sup> }  
James Humes } non suite awarded against the plaintiff

Thomas Tovey ag<sup>t</sup> }  
Thomas Brookes } day given to both parties untill the next provin-  
ciall Court