

Liber JJ ing the said William of the said One thousand pounds of tobacco and caske to deceive the same hath not yet paid or satisfied according to his promise and assumption aforesaid although often thereunto requested by the said William and the same to him yet to pay doth refuse to the damage of the said William of two thousand pounds of tobacco and thereupon he commenceth suite &c.

And the said Thomas by John Morecroft his Attorney cometh and defends the force and injury when &c and the said John Saith that as to Seaven hundred and foure pounds of tobacco part of the abovespecified sume of One thousand pounds of tobacco he is not informed by the said Thomas his Client of any answer thereunto to be given wherefore the said William remaineth against the said Thomas for the said summe of Seaven hundred and foure pounds of tobacco undefended wherefore it is considered of by the Court here to witt at S<sup>t</sup> Maries the fourtenth day of April in the xxxviii<sup>th</sup> yeare of his Lōpps Dominion &c that the said William recover against the said Thomas the said summe of seaven hundred and foure pounds of tobacco with costs of suite.

William Calvert Esq <sup>r</sup> ag <sup>t</sup> Garret Van Sweringen adm <sup>r</sup> Thellowalle	}	Garrett Vansweringen of the County of S <sup>t</sup> Maries Inholder administrator of the goods and Chattells of William Thello- walle deceased was sumoned to answer unto William Calvert Esq <sup>r</sup> in a plea that he render unto him three thousand pounds of tobacco which he unjustly deteineth &c.
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Whereupon the said William Calvert by John Morecroft his Attorney saith that whereas the said William Thellowalle upon the twenty fourth day of December One thousand six hundred sixty eight and in the seaven and thirtieth yeare of the Dominion of Caecilius &c by his certaine bill Obligatory sealed with the seale of the said William Thellowalle bearing date as abovesaid and here in Court produced did acknowledge himselfe to owe and stand indebted unto William Calvert Gent of S<sup>t</sup> Maries County the quantity of three  
 [p. 85] thousand pounds of good sound merchantable tobacco in caske to be paid upon all demands after the tenth day of november next ensueing the date of the said bill unto the said William Calvert Gent his heirs executors administrators or assignes the whole payment well and truly to be performed the said William Thellowalle did bind himselfe his heirs executors administrators and assignes joyntly and severally firmly by the said writeing which summe of three thousand pounds of tobacco the said William Thellowalle in his life time did not pay nor give any content therefore nor hath the said Garrett Vansweringen since the death of the said William Thellowalle paid the same nor any part thereof but the said summe of three thousand pounds of tobacco doth altogether refuse to pay though often thereunto required to the great damage of the said William Calvert whereby he saith