

Liber M M And whereupon the Said Mary by Kenelm Cheseldyn her Attorney Saith that whereas the Said Nicholas Solby in his life time the nineteenth day of March in the yeare 1672 did by his certaine writing Obligatory Sealed with the Seale of the said Nicholas here in Court produced whose date is the same day and yeare abovewritten bind himselfe his heirs executors adm^{rs} to pay unto the said John Thomas of the County of Stafford merchant or his certaine Attorney the full and just quantity of Seaven thousand five hundred ninty two pounds of every way good conditioned large arrenoco tobacco and caske cleere of ground leaves and trash tobacco the tenth day of October next upon his Owne plantation in Nangemy Notwithstanding which the Said Nicholas in his life time nor the aforesaid John Since the death of the Said Nicholas to whom the administration of all the goods which were the aforesaid Nicholas at the time of his death after his death to the said John committed hath not paid to the said John Thomas in his life time nor to the said Mary Since his death to whom administration of all and Singular the goods and Chattells which were the said John Thomas at the time of his death after his death to her committed hath not paid though often thereunto required but the same to pay hath and Still doth altogether deny to the damage of the said Mary tenn thousand pounds of tobacco and thereupon she bringeth her Suite.

And the Said Mary also bringeth here in Court the letters of administration to her granted of all and singular the goods and Chattells which were the said John at the time of his death Since his death to her committed that it may appeare to the Court here that she is adm^{rx} of the said John and thereof to have administration

p. 288 And the Said John Allen by Samuel Cressey his Attorney cometh and defendeth the force and injury when &c and the said John Saith that the Said Mary Thomas her action aforesaid Ought not to have because he Saith that he hath fully administred all and Singular the Goods Chattells rights and Creditts which were of the said Nicholas and to his hands ever came and this he is ready to averre

Now here at this day to witt the ninth day of December came the said Mary Thomas by Kenelm Cheseldyn her Attorney and the said John Allen by Samuel Cressey his Attorney and the said John Allen saith nothing in barr of the action aforesaid of her the Said Mary whereupon the said Mary remaineth against the said John thereof undefended Therefore it is considered by the Court here that the said Mary recover against the said John Allen as administrator aforesaid the said summe of Seaven thousand five hundred ninty two pounds of tobacco but so as execution thereof cease untill assetts come to his hands.