

Susanna had bargained Sold and delivered unto her the said Susanna Liber M M
Six breeding Soves and One grinstone the Said Susanna did assume
upon her selfe & to the said Justinian did then and there faithfully
promise that she the said Susanna would upon demand Satisfie &
pay unto him the said Justinian asmuch as the said Six Soves &
One grindstone were worth And the said Justinian in fact Saith p. 420
that the said Six Soves were well worth eighteene hundred pounds
of tobacco and the said Grindstone was well worth fifty pounds of
tobacco Yet the aforesaid Susanna while she was Sole nor the afore-
said John and Susanna since the nuptials betweene them cele-
brated the promise and assumption aforesaid of her the said Susanna
to him the said Justinian in forme as aforesaid made little regard-
ing but deviseing & fraudulently intending him the said Justinian in
this behalfe craftily and Subtilly to defraud & deceive the said eight-
eene hundred and Sixty pounds of tobacco to him the said Justinian
according to the promise and assumption aforesaid of her the said
Susanna to the said Justinian made as aforesaid hath not paid nor
him for the same in any manner contented or satisfied though
often demanded by him the said Justinian of the said Susanna
while she was Sole and of the said John and Susanna since the
espousalls betweene them Solemnized but the same to pay have re-
fused & denyed and yet doe refuse and deny to the damage of the
said Justinian three thousand pounds of tobacco And thereupon he
bringeth his suite

And the said John and Susanna by Kenelm Cheseldyn their At-
torney doth come and defend the force and injury when &c and Say
they did not promise and assume upon themselves in manner and
forme as the said Justinian in his declaration above hath declared
against them and of this they putt themselves upon the Country and
the said Justinian likewise therefore it is comanded the Sheriff of
St Maries County that he cause to come here twelve &c

Now here at this day to wit the 12th day of December in the 43th
yeare of the Dominion of Caecilius &c Annoꝝ Doꝛn One thousand
Six hundred Seventy foure came the said Justinian Gerard by his
Attorney and the said John Coode and Susanna his wife by their
Attorney and the jurors of that jury likewise came to wit Philip
Lynes Abraham Rhoades Richard Ridgall James William Tobias
Wells Michael Miller John Rice George Charlsworth John Bigger
Edward Skidmore Lodowick Williams and Stephen Murty who
being impannelled Sumōned and Sworne to Say the truth in the
premisses upon their Oathes doe say Wee find for the plaintiff that
the defendant pay unto him twelve hundred and Sixty pounds of
tobacco with costs. Therefore it is considered by the Court here
that the said Justinian recover against the said John Coode aswell
the summe of twelve hundred & Sixty pounds of tobacco occasioned
by the trespas aforesaid as also the summe of fifteen hundred & nine