

Liber M M to the which payment well and truly to be made and done he did bind himselfe his heirs executors and administrators and assignes firmly by those presents. Notwithstanding which the said Thomas Doxey the said summe of foure thousand pounds of tobacco according to his said writing Obligatory though often thereunto required hath not paid to the said Joseph in his life time nor to the said George Marshall since his death to whom administration of all and singular the Goods and Chattells which were the said Joseph at the time of his death since his death hath been committed hath not paid though often required but the same to pay hitherto hath and still doth deny to the damage of the said George the summe of Six thousand pounds of tobacco and thereupon he bringeth his suite.

And the said George bringeth here into Court the Letters of Administration to him granted of all and singular the Goods and Chattells which were the said Josephs at the time of his death that it may appeare to the Court here that he is administrator of the said Joseph and thereupon to have Administration.

p. 448 And the aforesaid Thomas Doxey by Robert Ridgely his Attorney cometh and defendeth the force and injury when &c and the said Thomas Saith that the writing Obligatory above mentioned is not his Deed and this he is ready to averre whereupon he demands judgment if the said George his accōn aforesaid against him Ought to have.

And the Said George Marshall Saith that he the said George Ought not to be debarred from haveing his action aforesaid because he saith that the said writing Obligatory in the declaration above-mencōnd is the act and deed of the said Joseph and this prayeth may be enquired of by the Country and the said Thomas likewise.

Now here at this day to wit the tenth day of february in the 43<sup>th</sup> yeare of the Dominion of Caecilius &c Annoꝝ Doꝛn thousand six hundred Seventy foure came the said George Marshall by his Attorney aforesaid and Offered himselfe against the said Thomas in the plea. aforesaid and the said Thomas by his Attorney came likewise and the Said Thomas Saith Nothing in barre or avoidance of the action aforesaid of him the said George whereupon the said George remaineth against the said Thomas thereupon undefended therefore it is considered of by the Court here that the said George recover against the said Thomas the debt aforesaid as also the summe of five hundred eighty two pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the said Thomas in mercy.

I Thomas Doxey of S<sup>t</sup> Maries County planter doe hereby authorize impower and appoint Robert Ridgely One of the Attornyes of the Provinciaall Court to appear for me at the suite of George Marshall adm<sup>r</sup> of Joseph Brough deceased in an action of debt for foure thousand pounds of tobacco and to plead such plea as to him shall