

Liber N N twentieth day of August in the year One thousand Six hundred Sixty foure did by his certaine writeing Obligatory Sealed with the Seale of the Said Josias here in Court produced whose date is the Same day and yeare abovewritten acknowledge himselfe to be indebted unto the Said John Bowles of the County and Province aforesaid the just Summe of One hundred thousand pounds of good Sound merchantable leafe tobacco and caske to be paid upon demand to the which payment well and truly to be made he did thereby bind himselfe his heirs executors and adm<sup>rs</sup> firmly by those presents notwithstanding which the Said Josias ffendall the Said Summe of One hundred thousand pounds of tobacco according to the tenor of his Said writeing Obligatory hath not paid though often thereunto required but the Same to pay hitherto hath and still doth altogether deny to the damage of him the said John One hundred & ten thousand pounds of tobacco And thereupon he bringeth his Suite.

And the Said Josias by John Jones his Attorney cometh and defendeth the force and injury &c and prayeth the heareing of the said writing Obligatory and it is read unto him he also prayeth heareing of the Condition of the said writeing Obligatory and it is read unto him in these words The Condition of this Obligation is such if the abovebound Josias ffendall his heirs execut<sup>rs</sup> adm<sup>rs</sup> or assignes doe from time to time and at all times for ever hereafter Save Keepe harmlesse and and indempnified him the aforesaid John Bowles and Margery his wife administratrix of the estate of Captaine W<sup>m</sup> Batten lately deceased them their heirs execut<sup>rs</sup> adm<sup>rs</sup> & assignes and every of them of and from all and all manner of debts bills bonds accompts actions Suits judgments executions and claimes whatsoever due & oweing Out of the estate of the aforesaid Batten to any person or persons whatsoever as also the claimes of Thomas Lomax as being Attorney to Margery Batten and her bill to M<sup>r</sup> ffrancis Pope of eleaven hundred pounds of tobacco except the claime right or title of George Newman to the Said estate That then this Obligation to be void and of none effect otherwise to remaine in full force and virtue.

Which being read and heard the Said Josias ffendall by his At-  
torny aforesaid Saith nothing in barre or avoidance of the action  
aforesaid of him the said John Bowles by which the aforesaid  
Bowles against the said ffendall remaines thereupon undefended.  
Whereupon it is granted by the Court here to wit at s<sup>t</sup> Johns the  
tenth day of ffebruary One thousand six hundred Seventy five that  
the said John Bowles recover against the Said Josias ffendall aswell  
the summe of One hundred thousand pounds of tobacco the debt  
aforesaid as also the Summe of five hundred thirty six pounds of  
tobacco costs of Suite.