

Liber N N hath not paid but the Same to pay hath refused and as yet doth refuse Whereupon the said ffrancis saith he is dampnified and hath losse to the value of two thousand pounds of tobacco and thereupon he bringeth his Suite.

And the said Ambrose by Benj^a Rozer his Attorney comes and defendes the force and injury when &c and prayeth heareing of the writeing aforesaid and it is read unto him he also prayeth heareing of the endorsement of the Said writeing and it is read unto him in these words vizt memorandum this bill is not to be delivered to the said ffrancis Maude unlesse he finish two sixty foot Tobacco houses now at this present date which are a building at Rich-Neck, which said houses so finished then to be delivered, which being read and heard the said Ambrose by his Attorney aforesaid prayeth liberty to imparle here untill next Court and it is granted him the Same day is given to both parties.

Afterwards to witt the eleventh day of April in the first year of the Dominion of Charles Lord Baltemore &c Annoq̄ Doñ One thousand six hundred Seventy six came the said ffrancis by his Attorney aforesaid and Offered himselfe against the said Ambrose and the said Ambrose by John Jones his Attorney came likewise and the Said Ambrose Saith nothing in barr or avoidance of the action aforesaid of him the Said ffrancis whereupon the Said ffrancis remaineth against the said Ambrose thereupon undefended Therefore it is granted by the Court here that the Said ffrancis recover against the Said Ambrose Bayley the said summe of fourteen hundred pounds of tobacco together with One thousand forty five pounds of tobacco costs of suite. and the said Ambrose Bayley in mercy.

Know all men by these p^rsents That I Richard Wharton of Boston M^rchant doe hereby nominate Constitute & appoint Richard Gardner of Maryland & Samuel Winslow of Boston M^rchants or either of them to be my true & lawfull Attorney or Attorneys in my behalfe & in the behalfe of any person or persons Interested or concerned with me in Company to aske demand Receive & Recover all & every such Sume or Sumes of money tobacco or M^rchandize of any kinde or sort whatsoever as may from any person or persons whatsoever be or become due or payable to me or any person formerly Employed by me or Intrusted with any thing appertaining to my selfe alone or to my selfe & Company either in Virginia or Maryland And I doe hereby Authorize & Impower my said Attorneys & either of them either by a course of Lawe or Composicōn to doe transact & Conclude any of the aforesaid concernments as fully & absolutely as I my selfe might or could being personally p^rsent Promising by these p^rsents to Ratifie Confirme & Approue all their

p. 137 lawfull Proceedings & to discharge them from all their reasonable