

five pounds of tobacco according to the tenor of the said writeing Liber N N  
 Obligatory & of this they putt themselves upon the Country

And the said ffrancis Saith that he by anything by the said James & Ann above alleadged ought not to be debarred from haveing his action aforesaid against the sd James & Ann for that he Saith that the said James & Ann the said Six & twenty thousand three hundred eighty five pounds of tobacco to him the said ffrancis according to the tenor of the Said writeing Obligatory hath not paid & of this he putts himsef upon the Country & the said James & Ann also. Therefore corñand is given to the Sheriff that he cause to come here twelve &c Now here at this day to witt the six & twentieth day of April 1677 Came the partyes aforesaid by their Attornyes & the jurors of that jury also came to wit Thomas Pattison Thomas Potter Thomas Keyting Jn<sup>o</sup> Brookes Jn<sup>o</sup> Dent Jn<sup>o</sup> Brookes Lewis Blangy Constant Daniel Elias Beech Jn<sup>o</sup> Stephens Thomas Kemp & Thomas Bowdell who being impannelled Summoned & Sworne to say the truth in the p<sup>r</sup>misses upon their Oathes doe say Wee of the jury doe find for the plaintiff twelve thousand nine hundred & five pounds of tobacco with costs. Whereupon it is granted by the Court here that the said ffrancis recover against the estate of the said John Bigger deceased aswell the summe of twelve thousand nine hundred & five pounds of tobacco debt as also Seventeen hundred & eight pounds of tobacco costs of suite.

Gerard Slye } Memorandum this day vizt the 7<sup>th</sup> day of December  
 ag<sup>t</sup> }  
 Benj<sup>a</sup> Rozer } noç Doñ 1676 Came here into Court Gerard Slye by  
 Kenelm Cheseldyn his Attorney & exhibiteth his certaine bill of Complaint ag<sup>t</sup> Benj<sup>a</sup> Rozer One of the Attornyes of this Court here present in Court according to the libertyes & privileges &c of a plea that he render unto him the summe of foure hundred & sixty pounds of lawfull mony of England which to him he oweth & unjustly deteineth

And whereupon the said Gerard by Kenelm Cheseldyn his Attorney Saith that whereas the said Benj<sup>a</sup> upon the 18<sup>th</sup> day of April in the first yeare of the Dominion of Charles &c Annoç Doñ 1676 by his certaine writeing Obligatory Sealed with the seale of him the said Benjamin & here in Court produced whose date is the day & yeare aforesaid was holden & firmly bound unto Gerard Slye of s<sup>t</sup> Maries County in the Province aforesaid merchant in the summe of foure hundred & Sixty pounds of good & lawfull mony of England to be paid to the said Gerard Slye his execut<sup>rs</sup> adm<sup>rs</sup> assignes or certaine Attorney To the which payment well & truly to be made the said Benj<sup>a</sup> did bind himsef his execut<sup>rs</sup> & adm<sup>rs</sup> firmly by those p<sup>r</sup>sents notwithstanding which the said Benjamin the said summe of foure hundred & Sixty pounds unto the said Gerard hath not paid