

Liber N N & twentieth day of february One thousand six hundred seventy five by their certaine bill obligatory sealed with the Seales of them the said Elizabeth & Thomas & here in Court produced whose date is the day & yeare aforesaid did binde them & either of them joyntly & severally unto the said John His heyres Ex<sup>rs</sup> Adm<sup>rs</sup> or assignes in the full sume of three thousand one hundred thirty & eight pounds of good sound M<sup>r</sup>chantable tob<sup>b</sup> & caske to be paid as above att or before the tenth day of Novemb<sup>r</sup> next ensuing the date of the same bill obligatory, for performance whereof they did binde themselves & either of them for the whole & in the whole joyntly & severally Notwithstanding which the said Elizabeth Green & Thomas Potter or either of them the said sume of three thousand one hundred thirty & eight pounds of tobacco to him the said John Burrige according to the tenor of the said bill Obligatory have not paid although often thereunto required but the same to pay have refused & denyed, & to pay the same as yet doe refuse & deny to the damage of the said John foure thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Elizabeth & Thomas by Robert Carvile their Attorney come & defend the force & injury when &c & pray liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto them, the same day is given to both parties.

Now here att this day to witt the tenth day of April in the third yeare of the Dominion of Charles Lord Baltemore &c Ano<sup>q</sup> Doni 1678. came the said parties by their Attorneys aforesaid And the said Thomas saith, that the plaintiffe his accon aforesaid ag<sup>t</sup> him ought not to have, because he saith, the said John after the sealeing & delivery of the writeing aforesaid by the said Elizabeth Green & the said Tho: Potter to witt upon the twenty eighth day of february aforesaid did by his writeing under his hand & seale here ready to be produced in Court oblige himselfe not to demand or sue the said Tho: Potter for the said sume of three thousand one hundred thirty eight pounds of tobacco so long as the said Elizabeth Greene mother of the said Thomas lived And the said Thomas in fact saith that the said Elizabeth Green is still liveing & party to this suite All which he is ready to verifie, & therefore he demands Judgem<sup>t</sup> whether the said John his action aforesaid against him ought to have. And the said John by his Attorney aforesaid said, that he would make no farther prosecution in the plaint aforesaid ag<sup>t</sup> him the said Tho: Potter Therefore itt is considered that the said Tho: Potter recover ag<sup>t</sup> the said Jn<sup>o</sup> Burrige the sume of Eleven hundred & one pounds of for his costs & charges by him about his defence in this behalfe laid out & expended And the said John Burrige in mercy for his false complaint ag<sup>t</sup> the said Thomas Potter

And the said John Burrige by his Attorney aforesaid came &