

Liber W. C. of tobacco in the said declaration specified according to the tenour of the said writing obligatory did pay, & this he is ready to averre, & thereupon demands judgm^t if the said pth his action aforesaid against him ought to haue And the pth also. And thereupon the p^rmisses being seen and by the Justices here fully understood And itt not being made appeare to the Court here that the said John Atkey hath paid unto him the said Richard Bailey the aforesaid sume of foure thousand five hundred pounds of tobacco in the said declaration specified according to the tenour of the said writing obligatory Therefore itt is considered, that the said Richard Bailey recover against the said John Atkey as well the aforesaid Sume of foure thousand five hundred pounds of tobacco debt As also One thousand thirty & eight pounds of tobacco costs of suite And the Defend^t in mercy &c

p. 96 Eliz^a Potter who } Thomas Doxey & Ann his wife Attached to
as well &c } Answer unto Elizabeth Green a^{ts} Potter who as
ag^t } well for the right Hon^{ble} the Lord Prop^{ry} as for
Tho: Doxey & ux: } her selfe in this behalfe prosecuteth of a plea of
trespas of the case

And whereupon the said Elizabeth Greene a^{ts} Potter who as well for the right Hon^{ble} the Lord Prop^{ry} as for her selfe prosecuteth, complaineth & giueth the Court here to understand & be informed. That whereas by a certaine Act of Assembly made att a Genn^{ll} Assembly begun & held att the City of S^t Maryes the sixteenth day of May One thousand six hundred Seventy six entituled an Act touching servants, which said Act remaines still in force, itt was amongst other things thereby ordained & Enacted, that no person or persons whatsoever should trade barter commerce or game with any Servant (except hired Servants) within this Province without lycence first had & obtained from his or her Master Mistris Dame or Overseer under the penalty of two thousand pounds of tobacco to be paid the one halfe to the Lord Prop^{ry} & the other halfe to the Master of such servant or true Owner of such goods so purloined gamed and bartered for when proved by sufficient wittnesses or confession of the party, to be recovered by action of debt bill plaint or Information, wherein no Essoyne Protection or wager of Law to be allowed As by the said Act relation being thereunto had may more att large appeare Yett the said Ann Doxey the said Act nor the penalties therein contained not regarding, she the said Ann Doxey upon the ninth day of April one thousand six hundred Seventy nine & att severall other dayes & tymes from the first day of April to the ninth day of April aforesaid did trade barter & commerce with one Isabell Gayton since deceased then Servant to the said Elizabeth Green a^{ts} Potter for divers wearing apparrell several head linnen & other linnen & a black hood to the Value of