

Liber W. C. Nor doe appeare for Tobacco paid by the Order and request Of the said Thomas Stagg for w^{ch} onely ye p^lt sues & Declares

(2^{dly})—In the second or third Article of the said acco^t on the D^r side Itt is sayd To seaven pounds five shillings Lent his wife in England att 1^d p pound One thousand seaven hundred & forty pounds of Tobacco, & To Cap^t Matthew Paine payd him for her Three hundred pounds of Tobacco In all Two thousand and fforty pounds of Tobacco, Itt is not sayd by Whome payd nor when payd, & to Declare for a sume and not to ascertain when or by whome payd is sufficiently vitious and Erronious, and if the same were paid by the p^lt or his order he ought to have said soe and by whome, and if that payment referre to the date before it in y^e margent being y^e 16th of Aprill it contradicts the Article, ffor she was then the said Thomas's wife & in this Province, and If it were payd in England she was then M^{rs} Ogle, and It was long before y^e sixteenth of Aprill, and Soe the acco^t sworne to as to that pticular falce Besides admitt the said P^lt or his Ord^r did pay for or sold the said Thomas Staggs wife Dum sola fuit money or goods and that an action Lay against the Husband & wife for the same, Yet he being Dead the plantiffe in Lawe Cannot charge the Adm^r of the said Thomas stagg for the Assumption of the said Thomas for a consideracōn past at the time of the Assumption wch is not bindeing Nor can that payment supposed to be made to her the said M^{rs} Ogle be by Intendment in Lawe wthin the Meaneing of y^e Assumption or purveiw of the said Declaration w^{ch} Counts for goods sold Thomas Stagg & Tobacco payd for him and by his speciall Order & request betweene the said ffive & twentyeth of March 1678 and the fourth of October following

(3^{dly}) The Acco^t charges to Thomas Wright undertaken to pay for him One thousand pounds of Tobacco But Does not say when Nor upon what Consideracōn, and the bare Alegacōn & charge that he did Assume to pay for the said Thomas Wright without a sufficient consideracōn to Oblige him to such promise is not bnding in Lawe against the party Assumeing, much Lesse his Adm^r, but the p^lt Ought to have said That Whereas the said Thomas Wright stood indebted to the p^lt 1000^{li} Tobacco The said Thomas Stagg in Consideracōn that the said plantiffe at the speciall instance and Request of him the said Thomas Stagg would give him ffurther day or forbear to sue him &^c did assume, & had the said Thomas Stagg been Security for the said Thomas Wright to the said P^lt & he or his Adm^r had been Legally sued for y^e same the Lawe would have given them by an accōn De plegijs acquietandis, but as they stand Now charged the said Margaret hath not apparent Remidy if the Lawe will charge her as Adm^{rx}

(4^{thly})—Hee sayes in the same acco^t To Henry Bell undertaken to pay for him Two hundred and sixty pounds of Tobacco, she