

Present: The Hon^{ble} John Hammond; Tho^s Tasker; Henry Llowe; W^m Hatton; Rich^d Hill; Edw^d Jones, Justices

Their Majesty's ag^t Henry Mitchell

[245] MARYLAND SS. Henry Mitchell late of this Province otherwise called Henry Mitchell of Calvert County Gent was Sumoned to answer unto our Sovereigne Lord and Lady King William and Queen Mary etc. of A plea that he render unto our said Lord and Lady the full and Just Summe of One thousand pounds Sterling which to the said Lord and Lady he oweth and from them unjustly detaineth.

And Whereupon the said Lord and Lady by George Plater their Attorney say that whereas the said Henry Mitchell the 14th day of March Anno Dom 1693 at Calvert County aforesaid by his certain bond or writing obligatory Sealed with the Seale of him the said Henry Mitchell and here in Court produced whose date is the day and Year aforesaid did owe and stand Justly indebted unto our said Lord and Lady there heirs and Successors in the full and just Summe of One thousand pounds sterling which payment well and truly to be made he the said Henry Mitchell did bind himself his heirs Executors and Administrators firmly by those presents Notwithstanding which the said Henry Mitchell did bind himself his heires Executors and Administrators the said Summe of One thousand pounds Sterling to the said Lord and Lady altho' often thereto demanded hath not paid but the same to pay hath denied and still doth deny Whereupon the said Lord and Lady say they are damnified and have loss to the Value of Twelve hundred pounds Sterling and thereupon they bring their suite.

And the said Henry Mitchell by Samuell Watkins his Attorney cometh and defendeth the force and injury When etc. and pray the hearing of the above recited bond or writing obligatory and it is read unto him he also prayeth the hearing of the condition and it is read unto him in these words following Viz^t The Condition of this Obligation is Such that if the above bounden John Price or his Assignes before his departure or the departure of the said Pinke out of this Province this present Voyage sattisfy and pay to their Majestys Collecter for Patuxent district in the abouesaid Province their Majesty's duties of one penny per pound for all such Tobaccoe as shalbe Loaden or taken on board the said Pinke this present Voyage according to the Act of Parliament made the twenty Fifth Year of King Charles the Second and shall saile hence [246] directly for Berbadoes or some other of their Majestys Plantations and their unload the said Tobaccoe (the dangers of the Seas excepted) and Shall likewise within twelve Months produce A certificate of his having so done as aforesaid then this Obligation to be Void and of noe Effect otherwise to stand in full force and virtue

Now here at this day to witt the Fifteenth day of May in the Eighth year of his Majestys reigne King William the Third etc. Annoque Dom 1696