

natus Smith and Anthony Ivey to whom Letters Testamentary upon the last Will and Testament of the said Rob^t Since the death of the same Robert in due forme of Law have been Comitted have not rendred the same altho' often required but the same to the same Thomas to render the aforesaid Robert in his life time And the said defendants Since his death have denyed to the damage of the said Thomas Three hundred pounds of the like Currant money and thereupon he brings this Suite.

Pledgs etc. Jn^o Doe and Rich^d Roe.

And the said Renatus Smith and Anthony Ivey by William Bladen their Attorney comes and defends the [278] force and Injury when etc. and prays Oyer of the bond and it is read unto them they alsoe pray Oyer of the Condition thereof and it is read unto them in these words following That Whereas the above Thomas Robins having formerly entred into bond with A certain James Busby late of the said County Merchant deceased payable to A certain Isabella Bewley of the Province of Pensilvania for One hundred and Forty odd pounds Currant money of England now the Condition of the above Obligation is such that if the abouesaid Robert Smith Esqr and the said Vincent Hemsley their heires Executo^{rs} and Admstrators do and shall from time to time and at all times save and keep harmless and Indemnified the abouesaid Thomas Robins his heires Executors and Admstrators from and from all such damage that shall or may happen by reason of the above-said bond that then this Obligation to be void etc. Which being read and heard the said Renatus Smith and Anthony Ivey Exec^{rs} as aforesaid by their Attorney aforesaid pray leave to Imparle here untill next Court and they have it and the same day is given to the plaintiff alsoe. Att Which said next Court to Witt the first day of Aprill Annoque Domini 1708 Comes again the said Thomas Robins by his Attorney aforesaid and prays that the said Renatus Smith and Anthony Ivey Executo^{rs} as aforesaid to his declaration in the plea aforesaid May answer Whereupon the said William Bladen Attorney for the said Renatus Smith and Anthony Ivey Executo^{rs} as aforesaid as before defends the force and Injury and says that he is not informed by his said Clyents of any sufficient Matter or thing to plead in barr or Avoidance of the Action aforesaid So as aforesaid brought and further therin saith nothing Whereby the said Thomas Robbins remaines against the said Renatus Smith and Anthony Ivey Executors as aforesaid Wholly undefended, Therefore it is Considered by the Justices here the day and Year last mentiond that the said Thomas Robins recover against the said Renatus Smith and Anthony Ivey Executors as aforesaid As Well the Summe of Two hundred and Eighty Eight pounds currant money of England his debt aforesaid as alsoe the Sume of Six hundred and Ninety five pounds of tobaccoe by the Court here adjudged unto him for his costs and charges in this behalf laid out and Expended to be leavyd of the goods and Chattles which were of the said Robert Smith at the time of his death in their hands to be Admstred if so much thereof they