

and your aforesaid. and bound god him self to be bound to y<sup>e</sup> said Edward Smith in  
sum of 4000. pounds of Tobacco and eight gallons of Rum to be paid to the said Edw.  
in manner and form following (that is to say the 2 gallons of Rum and our share  
pounds of Tobacco this present year and the remaining three thousand pounds of Tobac  
to be paid the very next year hereafter ensuing to the which payment well and truly  
to be made the said Robert Coude. himselfe firmly by the said writing under the left the  
the said Robert the said sum of four thousand pounds of Tobacco and eight gallons  
of Rum although often demanded the same to the said Edward in his life time or to the  
said of our Court. or to the said John after y<sup>e</sup> death of the said Edm. to whom  
of all and singular the goods and Chattells of the said Edm. by the said Property.  
was committed hath not rendered but hath hitherto damaged and doth still day to the  
damage of the said John. of 6000 pounds of Tobacco. and there of he beuiget his suit  
But your Lodg<sup>r</sup> John Dod  
Rich. Dod.

And the Kings High Court the letters & restantury of the  
said Property & whereby it appears to y<sup>e</sup> Court the said  
John to be Dom. and there of to have. Domini<sup>o</sup>.

Wherupon y<sup>e</sup> said Court in his proper person appears and pleads for  
the Condition of the Bond to be performed, together with the judgment  
And thereupon the Court Ordered that the Condition of the Bond to wit y<sup>e</sup> Land  
therin expressed be firmly (before Execution if trust) made over to the  
said Court, his Heirs Assigns &c. without Cost.

John: Vigorus, Dom. so dm. Scribe Lt.  
John: Swack Lt. } Continued by Lt and Scribe

Somerset County St. John: Swack of Somerset County Pleaunt was attached to answer  
unto John: Vigorus Dom. of all and singular the goods and Chattells of Edm: Smith  
who was Excut<sup>r</sup> of the last will and testament of Edward Smith deceased in a plea of  
Cross pass upon the Case &c. And wherupon the said John Vigorus by John  
Doubt his attorney sayth that whereas the said Edward Smith in his life time (that is to  
say the 14<sup>th</sup> day of in the year of our Lord 1686. at Monroan within y<sup>e</sup> Jurisdiction  
of this Court was possessed of our share of the value of our thousand pounds of Tobacco.  
our of his own share and being thereof possid<sup>r</sup>, which said share afterwards to his heirs  
and possession of the said as Excut<sup>r</sup> of the said Edward came after whose death y<sup>e</sup> eight  
of the said share did descend to the said John: Vigorus, as Dom. of all and singular the  
goods and Chattells of the said Edm. and the said John. of the share and being possid<sup>r</sup> y<sup>e</sup>  
said share afterwards the 10<sup>th</sup> day of May in the year of our Lord 1688. out of the said  
and possession did casually loose which said share afterwards to the heirs and  
possession of the said John: Swack. Nevertheless the said John: Swack  
well knowing the said share to be the proper share of him the said John: Vigorus  
and to him the said John: Vigorus of right to belong and appertain  
troubling him the John: Vigorus of the share, and partly did unlawfully  
and defraud the said share to y<sup>e</sup> said John: Vigorus  
but the said share afterwards to the proper use of the said John: Vigorus  
damaged and disposed by y<sup>e</sup> damage of the said John: Vigorus