

So much thereof in their hands to be administered and the Said Kathrine Willson and Joshua Cecell in mercy.

Simon Nicholls Plantiffe: Jonathan Willsons Executors Defendants

Kathrine Willson and Joshua Cecell Late of Prince Georges County Executors of the Last will and Testament of Jonathan Willson Deceased was atteached to answer unto Siman Nicholls of a Plea of Tresspass upon the Case etc.

And whereupon the Said Simon by William Stone his Attorney Compleineth that whereas the Said Jonathan in his Lifetime that is to Say the 18th day of March in the year of our Lord 1697 [1698] att Charles Towne within the Jurisdiction of this Court was Indebted unto the Said Simon in the Sume of twelve hundred pounds of Tobacco being for his the Said Simons Labour and paines in drawing in of Timber for him the Said Jonathan as by a Perticular account thereof here ready in Court to be produced more at Large may appear, And the Said Jonathan being Soe indebted as aforesaid in Consideration thereof did assume upon himselfe and to the Said Simon then and there faithfully promise that he the Said Jonathan the Said Sume of 1200 lbs. of Tobacco to the Said Simon when hee Should bee thereunto requested would well and truely Content and Pay Nevertheless the Said Jonathan in his life time Nor the Said Kathrine and Joshua Since the Death of the Said Jonathan to whom Letters Testamentary of the Esteate of the Said Jonathan ware in Due forme of Law Committed in his promise and Assumption aforesaid not att all regarding but mindeing and fraudulently intending him the Said Simon in this behalfe Craftily and Subtilly to deceive and defraud the Said Sume of 1200 lbs. of Tobacco to the Said Simon hath not paid Although the Said Jonathan afterwards the Day and place aforesaid in his Life time, and the Said Kathrine and Joshua Since his Death to doe the Same by the Said Simon hath been often thereunto requested but hath hitherto refused and Still doth refuse to the Damage of the Said Simon of 1600 pounds of Tobacco and thereof he bringeth his Suite etc.

William Stone. John Doe, Richard Roe. pledges etc.

March the 18 Jonathan Willson Debtor to Simon Nichols 1697 [1698].

lbs. Tobacco

To Drawing in of timber for 220 foot houses 800, to a Considerable

Quantity of timber more 400 ..... 1200

And the Said Kathrine Willson and Joshua Cecell in their propper persons cometh and Defendeth the force and Injury when etc. and prayeth Lycence to imparle here untill the next Court Comeing and it is Granted unto them the Same day is given to the Plantiffe Likewise.

[473] Att which day (to witt the 26th day of September Annoque Domini 1699 here came as well the Said Simon Nicholls by his Attorney as the Said Kathrine Willson and Joshua Cecell in their propper Persons and the Said Simon Nicholls by his Attorney aforesaid Prayeth that the Said Kathrine Willson and Joshua Cecell to his Declaration may answer.

And the Said Kathrine and Joshua in their propper persons comes and defends the force and Injury when etc. and Saith that the Said Simon his action aforesaid against them ought not to have because they Say that the Said Jonathan dyed indebted to Several persons by Judgements which Judgements remains unsatisfied being Debts of a hyar nature then the Plantiffs ought to be first paid and Satisfied (Viz.) before the Justices of the Provinciall Court of this Province Richard Marsham and Ann his wife Administratrix of the Goods and Chattles of Henry Brent Deceased the 15th day of October Annoque Domini 1696