

and Just Sume of fifeteen pounds Sterling money of England which from them they unjustly deteine.

And whereupon the Said William and Company by William Stone their Attorney Saith that the Said Jonathan in his Lifetime that is to Say the 11th day of March in the year of our Lord 1695/6 att Callvert County that is to Say att Charles Towne within the Jurisdiction of this Court by his Certaine bill obligatory which the Said William and Company with the Seale of the Said Jonathan Signed bringeth here into Court the date whereof is the Day and year aforesaid wherein the Said Jonathan acknowledged himselfe to be bound unto the Said William and Company in the full and Just Sume of fifeteen pounds Sterling money of England to be paid att or before the 20th day of June then next Ensueing the Date of the Said Bill Either in ready money or good bills of Exchange to the which payment well and truely to be made the Said Jonathan bound himselfe his heires Executors or administrators firmly by the Said bill Nevertheless the Said Jonathan in his life time nor the Said Kathrine and Joshua Since his Death to whom Letters Testamentary of the Esteate of the Said Jonathan ware in due forme of Law Committed although often required the Said full and Just Sume of fifeteen pounds Sterling money or good bills of Exchange to the Said William and Company or to Either of them hath not rendered but hath hith hitherto denyed and the Said Kathrine and Joshua doth Still denye to the Damage of the Said William and Company of twenty pounds Sterling and thereof they bring their Suite.

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

And the Defendants in their propper Persons comes and Defends the force and Injury when etc. and Prayeth Licence thereof to imparle here untill the next Court Comeing and it is granted unto them the Same time is given to the Plantives Likewise.

And now here att this day (to witt) the 26th day of September Annoque Domini 1699 came here as well William Round and Company by William Stone their Attorney aforesaid as also the Said Kathrine Willson and Joshua Cecell in their Proper persons and the Said William Round and Company prayeth that the Said Kathrine Willson and Joshua Cecell to their Declaration aforesaid may answer.

And the Said Joshua Cecell for himself and the Said Kathrine in his Propper person Cometh and defendeth the force and Injury when etc. and Saith that the Said [476] William and Company their action aforesaid against them ought not to have because they Say that they have paid Severall debts to Severall persons due from the Said Deceased by Judgements obtained against the Deceased in his life time being Debts of a hyar nature then the Plantifs Debt Sued for and ought to be first paid and Sattisfyed out of the Said Deceaseds Esteat (Viz.) To Richard Marsham and Ann his Wife administratrix of the goods and Chattles of Henry Brent Deceased the Sume of 9431 Pounds of Tobacco and £ 17 11 06d Sterling as by the records of the Provintiall Court appeareth etc. before the Justices of the Provintiall Court of this Province the 15th day of Aprill annoque Domini 1698 One Edward Anthill obtained a Judgement against the Said Jonathan in his Life time for the Sume of £29 03 00 and lbs. of Tobacco Cost of Suite etc. before the Justices of Charles County Court the 9th day of March 1696 [1697] one James Kingsbury obtained a Judgement against the Said Jonathan in his Life time for the Sume of 1340 lbs. of Tobacco Debt and 349 lbs. of Tobacco Cost of Suite etc. as by a Copy of the Said records here in Court ready to be produced may more at Large appear and allso that