

Charles Towne within the Jurisdiction of this Court was indebted unto the Said William in the Sume of Six pounds Eleven Shillings Sterling being for the Quantity of one hundred and fifty Gallons of Strong Beere and fifty Gallons of boyled Sider by the Said William to the Said Jonathan before that time Delivered and the Said Jonathan in Consideration thereof did assume upon himselfe and to the Said William then and there faithfully promise that he the Said Jonathan the Said Sume of Six pounds Eleven Shillings Sterling in the month of June then next Ensueing the Day aforesaid when he Should be thereunto requested would well and truly Content and pay Nevertheless the Said Jonathan in his Lifetime Nor the Said Kathrine and Joshua Since the Death of the Said Jonathan to whom Letters testamentary of the Esteate of the Said Jonathan Since his Death ware in due forme of Law Comitted his promise and assumption aforesaid not att all regarding but mindeing and fraudulently intending him the Said William in this behalfe Craftily and Subtily to deceive and defra[ud] the Said Sume of Six pounds Eleven shillings Sterling to the Said William hath not paid although the Said Jonathan in his Lifetime and the Said Katherine and Joshua Since his death afterwards the Day and place aforesaid and at Severall other dayes and times to doe the Same by the Said William was often thereunto requested but hath hitherto refused and the Said Kathrine and Joshua doth Still refuse to the Damage of the Said William of 12 pounds Sterling and thereof he bringeth his Suite etc.

William Stone. John Doe, Richard Roe. Pledges.

And the Defendants Kathrine Willson and Joshua Cecell in their propper persons cometh and defendeth the force and Injury when and prayeth Lycence to imparle here to the next Court and it is Granted unto them the Same time is given to the Plantiffe Likewise.

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

And the Said Joshua Cecell for himselfe and the Said Kathrine in his propper person cometh and defendeth the force and Injury when etc. and Saith that the Said William his action against them ought not to have etc. because they Say they have paid severall debts to Severall People due from the Said deceased by Judgements obteneid against the Deceased in his life time being Debts of a higher nature then the plantiffs account Sued for and ought to be first Paid and Sattisfyed out of the Deceads Esteate (viz.) To Richard Marsham and Ann his wife administratrix of Henry Brent Deceased the Sume of 9431 pounds of Tobacco and £17 11 06d Sterling as by the records of the Provincially Court appeareth etc. To Col. John Bigger for the use of Samuell Goosey the Sume of 1532 lbs. of Tobacco to James Kingsbury the Sume of 1689 lbs. of Tobacco as by the Records of Charles County Court appeareth and allso that there are more Judgements due to Severall people obteneid against the Said Deceased in his lifetime which yett remaines unsattisfyed or Paid being Debts of a Hyar nature then the Plantiffs account Sued for and ought to be first paid and Sattisfyed out of the Said Deceaseds Esteat (Viz.) to Edward Anthill the Sume of £29 03 00 as by the records of the Provincially Court appeareth etc. and to Elizabeth Wattkinson Executor of the Last will and Testament of Cornelius Wattkinson Deceased the Sume of 700 pounds of Tobacco as by the records of Callvert County Court appeareth etc.