

Treacys Estate indebted unto Hugh Fergison in the Sume of Seven Hundred fifty and Six pounds of Tobacco.

Christopher Beanes, Paul Bewsey.

Therefore it is Considered that the aforesaid Hugh Fergison Plantiffe doe recover against the Said David Small Administrator of the Goods Chattles and Credditts of Charles Treacy Deceased as well the Sume of Seven hundred Fifty Six pounds of Tobacco his Debt aforesaid as allso the Sume of two hundred and Eighty pounds of Tobacco for his Cost and Charges of Suite to the Said Hugh Fergison Plaintiff of his Assent by the Court here adjudged out of the Goods and Chattles whereof Charles Treacy att the time of his Discease in the hands of the Said David Small to be administred if he hath Soe much thereof in his hands to be administred and the Said David Small in mercy. etc.

Hides Executors Plaintiff: Nicholas Baker Defendant

Nicholas Baker Late of Prince Georges County otherwise called Nicholas Baker of Callvert County in the Province of Maryland was Summoned to answer unto Bartholomew Goff and Johannah his Wife Executrix of the Last Will and Testament of Thomas Hide Deceased of a Plea that he render unto them the Full whole and Intire Sume of one Thousand one hundred Ninety and Eight pounds of good Sound Merchantable Tobacco which from them he unjustly Deteineth etc.

[487] And whereupon Bartholomew and Johannah by William Stone their attorney Saith that the Said Nicholas the 12th day of July in the year of our Lord 1698 att Callvert County that is to Say att Charles Towne within the Jurisdiction of this Court by his Certain Bill or wrighting obligatory which the Said Thomas Hide in his Life time with the Seale of the Said Nicholas Signed bringeth here into Court the Date whereof is the Day and year aforesaid wherein the Said Nicholas acknowledged himselfe to be bound unto the Said Thomas Hide in his Life time in the full whole and Intire Sume of one Thousand one hundred Ninety and Eight pounds of good Sound Merchantable Tobacco to be paid upon all Lawfull demands after the tenth day of October then Next Ensueing the Date of the Said bill obligatory aforesaid if in ability to doe it if not to be Paid as Soon as Please God to make the Said Nicholas able and the Said Bartholomew and Johanah in Fact Saith that it hath Pleasèd God afterwards the Day and Place aforesaid that is to Say the 28th day of March 1697 att the Place aforesaid to make the Said Nicholas of ability to Pay the Same yet Nevertheless the Said Nicholas the Said Sume of 1198 pounds of Tobacco as afforesaid although often demanded the Same to the Said Thomas Hide in his Life time or to the Said Johanah Since the Death of the Said Thomas Hide whilst she was Sole to whom Letters Testamentary of the Estate of the Said Thomas Hide after his Death ware in due forme of Law Committed or to the Said Bartholomew and Johanah Since the Marriage between them had and Solemnized or to Either of them hath not rendred but hath hitherto denyed and Still doth denye to the Dammage of the Said Bartholomew and Johanah of 1900 lbs. of Tobacco and thereof they bring their Suite etc.

William Stone. John Doe, Richard Roe. Pledges.

And the Said Nicholas by Joshua Cecell his Attorney comes and Defends the force and Injury when etc. and Saith that the Said Plaintiffs Declaration is Altogather insufficient in Law to meinetaine their action aforesaid and that the Declaration aforesaid in manner and forme Màde and declared he hath noe Need neither by the Law of the Land is he bound to Answer and for causes