

Novem. 1701

Att. nopl. Court to be hold for said County to answer unto James Mitchell of Kingdom of England Mariner of op. la that they render unto him full & just Summe of five hundred pounds of Every way well conditioned Tod in Casue which from him they unjustly Dolaine &c

Att which nopl. Court viz. 24<sup>th</sup> day of June anno Dom. 1701 & day of returne of said writt came Elias King high Sher. of said County & made returns &c

On which said Day & said Defend. by Michael Barther att. nopl. Court & prayd thereof to Imparce untill the nopl. Court which was granted unto him & same day was given & plant likewise &c Marklin p. 2

The which cause was cont from Court to Court untill this present Court and now is at this day viz. 20<sup>th</sup> day of Novem. anno Dom. 1701 came as well the said Defend. by her said att. nopl. as a good & true Plaintiff by his att. nopl. and the said Cause standing for tryall & Plaint Dole viz. &c

Honor Donavant alius dictus Honor Donavant Ad. of all & singular & good Charters & Priviledges of James Donavant late of Kent County planter deceased was summoned to answer unto James Mitchell of Kingdom of England Mariner of op. la that she render unto him full & just Summe of five hundred pounds of Every way well conditioned Tod in Casue which from him she unjustly Dolaine &c

And whereupon the said James by Richard Marklin his att. nopl. says that whereas the said James Donavant in his life time & by day of May anno Dom. 1700 at the County of Kent within the jurisdiction of this Court by his certaine bill or writing of legallory sealed with his Seale as his act & deed Doloured and here in Court brought who dole by James day & year did bind himself for his heirs &c to pay or cause to be paid unto the said James Mitchell his heirs &c a Summe of five hundred pounds of Tod. qualified as att. nopl. at upon the tenth day of Oct. nopl. pursuing the said bill yet notwithstanding the said James Donavant in his life time & said Summe of five hundred pounds of Tod. qualified as att. nopl. altho often demanded unto the said James Mitchell hath not paid nor the said Honor in her said Capacity. since death of the said James Donavant to whom letters of Administration were in due forme granted paid the said Summe altho often demanded but the said James to pay the said Summe & refuse & unjustly Dolaine to the said James Mitchell one thousand pounds of like Tod and thereupon he brings this Suite Marklin p. 2

The which Dole being read and by the Court heard and duly considered and the said Defend. neither by her self nor att. nopl. making any defence the said Plaintiff by his said att. nopl. moves the Court that he may have Judgt for his Dole & cost of Suits which granted

Therefore it is considered by the Court here this day viz. 20<sup>th</sup> day of Novem. anno Dom. 1701 that the said Plaintiff James Mitchell doe recover from the said Defend. Honor Donavant in her said Capacity as well the Summe of five hundred pounds of Tod. as also the Summe of five hundred & ninety & nine pounds of Tod. cost of Suits &c the said Defend. in money &c

In Decidat &c