

March 17th 1708
hath not paid But the same to pay he the said Thomas hath to have danged & garnished
as yet both danged & garnished to of damages of the said Wife five hundred pounds of Tobacco
and three of My (my) Sister &c

Wellinger of York }
of the }
of the }

AND of the said Thomas by

and Injury to him & and pray of the Writing obligatory in the above said: mentioned
and it is to him read &c. He also pray of of condition of the said Writing obligatory
and it is to him read in these words following viz The condition of the above obli-
gation is such that if y^e above bound Thomas Welling in his life time shall pay unto
the above named Nathaniel Hyson & Robert Dunsley to them or either of them
then heirs or either of their heirs to wit: in a signy of value just value of five
hundred pounds of Tobacco convenient as a pt at a upon the tenth day of October next
Expanding then this above obligation to be void self to stand in full force & virtue

AND now here at this Court of 25th days of March of Anno Domini 1708
cometh the said Nathaniel by his atty and sheweth himselfe against the
said Thomas in the plea a pt and the said Thomas being solemnly called like-
wise cometh and the said Wife by their atty moves y^e C. that
the said Thomas may give Espe Bayle to the said Action of theirs the said Nath
& Robert — ORDERED by the C. here that the said Thomas Welling the
Deft give Espe Bayle to y^e Action a pt against him & likewise that Edward Doll
Clerk thereof of said County receive the said Thomas Welling in Bayle Custody until
he give Espe Bayle to the said Action

AFTER which cometh into Court Thomas Selley of said County & becometh
Bayle both undertake for the said Thomas Welling y^e payment of the Debt & Costs
if it shall happen that the said Wife shall obtaine Judgment against the said
Thomas in the said Action of Debt & the said Thomas the said Selley shall not
sheweth nor himselfe to the custody of the Clerk of said County doles &c that the said
Thomas Selley the day of the said Thomas Welling shall not render &c

AND the said Deft by Christopher Philipson his atty appeared

BUT the said Thomas Welling afterwards in his proper person cometh into
Court & saith that as to the five hundred pounds of Tobacco mentioned in the
above Acted that he is willing to satisfy Judgment for the same to the said Wife
nor but the Writing obligatory above mentioned is his selfe deed & that he oweth
unto the said Wife of a pt summe of five hundred pounds of Tobacco &c — Therefore
it is ORDERED by the C. here this Twenty fifth day of March Anno Domini
1708 that the said Nathaniel Hyson & Robert Dunsley doe recover against
the said Thomas Welling the summe of five hundred pounds of Tobacco Debt
& also the summe of three hundred thirty one pounds of Tobacco & Costs by y^e said Wife
about their suite in this & alls depending by y^e C. hereof to be first payed and the said
Thomas Welling in Merit —
John Smith