Southey Esther and Hannah, with the Seal of the afd Thomas Signed here into Court Bring ~~[illegible]~~ of the
date the same day and Year did Acknowledge himself to Owe to the afd ~~[illegible]~~ Stevens Whitte or his Ex.r the
afd Nine Thousand two hundred and fifty three pounds of good sound merchantable Leaf tob.o in Cask to be
paid, the same ~~[illegible]~~ Stevens White his Ex.rs adm.rs or assigns never the last the afd Thomas altho' often requested
the same Nine thousand two hundred and fifty three pounds of tob.o, to the afd ~~[illegible]~~ Stevens White in his Life,
or the afd Wm. Whittington Esq.r after the death of the same ~~[illegible]~~ Stevens White, or the same Wm. Southey —
Esther and Hannah Whittington after the death of the same Wm. Whittington Esq.r, the same Thomas —
hath not rendered, but the same to them to render Contradicteth, and the same to the same Wm. Southey —
Esther & Hannah Whittington as yet to render doth and unjustly detaineth whereupon they say they
are deteriorated and hath damage to the value of Ten thousand pounds of tobacco and thereof they bring Suites
and offers here in Court the writing obligatory afd which the debt afd doth testifie & the same Wm. South-
Esther and Hannah Whittington brings herein the same Court as well the Letters testamentary of the
afd ~~[illegible]~~ Stevens White by which it manifestly appears to the Court here that the afd Wm. Whittington Esq.r
was Ex.r of the testament of the afd ~~[illegible]~~ Stevens White and thereof to have adm.r as the Letters testamentary
of the afd Wm. Whittington Esq.r by which it manifestly appears to the Court here that the afd Wm. Southey
Esther and Hannah Whittington were Ex.rs of the testament of the afd Wm. Whittington Esq.r and thereof
to have administration ——— Yeale & Read Clerks / Ex. Book Fee

Whereupon the afd Thomas Brown being called appears and thereupon the said Tho.
Brown at the prayer of the Plff's attorney afd ~~the said Thomas Brown~~ is adjudged to give Speciall
bail to the action afd — Whereupon a certain Thomas Benston of Somerset County planter pre-
sent here in Court undertakes for the said Thomas Brown that if in case the afd Willm. Southey, Esther
and Hannah Whittington's shall recover Judgment in the plea afd against the said Thomas Brown or that
the said Thomas Brown shall be therein convict that then he the said Thomas Brown shall pay the
Condemnation of the Court thereupon or render his Body to the Custody of the Sherf. of Somerset
County in Satisfaction thereof or that he the said Thomas Benston will do it for him ———

And whereupon the said Thomas Brown in his own proper person cometh and defendeth
the force and injury when &c. and saith that he cannot gainsay the action afd of the afd Wm.
Southey, Esther and Hannah Ex.rs as afd, nor but that he detained from them the afd Nine thou-
sand two hundred and fifty three pounds of tobacco in manner and form as the same Wm. Southey
Esther and Hannah Whittington above against him declared &c ———

Therefore it is considered by the Justices here the fifteenth day of Novem and
Dom. One thousand Seven hundred and twenty Six that the afd William Southey Esther and Han-
nah Whittington's Ex.rs as afd Recover against the afd Thomas Brown Nine thousand two hundred
and fifty two pounds of tobacco his debt afd as also three hundred and Sixty ———
with their dam.ges which they sustained by reason of the detaining the same debt as
pounds of tobacco for their costs and charges by them about their suit in that part expended to the same
afd by the Court here of their assent adjudged and the afd Deft in Mercy &c