king that then was the summe of one thousand pounds of lawfull
money of England to be paid to our said lord the king that then was
his heirs & successors to which payment we do humbly bind & ad-
dict our selves firmly by these
writing which then we do require & desire the said Henry Smith
through office thereunto required the said summe of one hundred
pounds of lawfull money of England to our said lord the king
that then was nor to our said lord the king that now is shall not
receive but the said to pay render & satisfie & still detaine
upon the said George plaintiff attorney general aforesaid
daily our said lord is damnified one thousand two hundred and
fifty pounds of lawfull money of England & hereupon an ac-
tion is brought & sued the said George plaintiff attorney general a-
foresaid for our said lord the king brings the bond into Court
the writing aforesaid which he shewed the debt aforesaid —
& the said Henry Smith by James Wright his attorney
ronds the defendant the foresaid injury when & & prayes
the hearing of the writing aforesaid & it is read unto him
the defendant prayes the hearing of the condition of the writing
aforesaid & it is read unto him in these words viz. The con-
dition of the above obligation is such that if the above bounden
Richard Smith shall with his said ship called from his
province to some of his Ma.ties plantations in Europe Asia
Affrica or America the danger of the sea only excepted & in
the voyage put on shore all such tobacco & other commodities
of the growth production & manufacture of the province by
him in the said ship exported out of the province the present
voyage & shall return a certificate under the hands & seales
of the officers of his Ma.ty Customs from such port wherein
he shall unload as aforesaid within one year after the date
hereof that the above bounden obligation to be void & of none
effect or else to stand & be in full force & vertue —

Now this day to wit the twelfth day of October in the
year 1696 came the said George plaintiff & prays judgment for
our sovereign lord the king against the said Henry Smith by vir-
tue of his obligation aforesaid & the said Henry Smith by the said
Samuell Wright his said attorney his wife & comes & says
he is not by the said Henry Smith informed of matter sufficient to
plead in barr or abeyance of the action against him brought as
aforesaid whereupon it is considered by the Court here that
our said lord the king do recover against the said Robert Bugle
Henry Smith the sum of one thousand pounds of
sterling the penall debt aforesaid & also the summe of
pounds of tobacco cost of suit & damages
the dist in mercy &c —

Rich. Marsham & Henry Brent — The first day of October anno Dni 1696 Ch.
This court orders Henry Smith to cap. Richard Smith
John Lewellin to examine & state the
accompts between the said Henry Smith & Jonathan Wilson and to make report hereof
to

to this court to morrow morning which the said Henry Smith
under their hands in these words following viz.t

To the honorable the Justices of the provincial Court
Hydestrud ofAnder from this hon.ble Court of the fifth instant to
Richard Smith & John Lewellin directed requiring them to state and
examine the accompts of Richard Marsham & Jonathan Wilson &
giving also thereby power unto them to examine any witnesses should
be produced by either of the said disputants the said Richard Smith & John
Lewellin do humbly certify unto y.r hon.rs that in obedience to the
said order we have perused examined & stated the accompts produced
unto us by each of the said disputants respectively according which we upon oath
find & do report unto y.r hon.rs that the said Jonathan Wilson stand
indebted to the said Richard Marsham admin.r of m.r Henry Brent
late of Calvert county deceased the quantity of eight thousand seaven hundred
& forty pounds of tobacco & the summe of seaven hundred pounds & eleven
shillings & six pence sterling the ballance of the foregoing severall
accompts as hereby may appear. Saving only that the said Richard
Marsham is to allow & account table to the said Jonathan Wilson
out of the said ballance for a certaine note by the said Jonathan Wilson
to him alledged to be delivered drawne on m.r George Plowden
payable to the said Brent for some pipe of tobacco the quantity not
certaine to us but noted in the booke of accompts
of the said Brent & also for a bill of Ex.ge drawne by Ar-
thur Hatton payable to the said Wilson by him the said Wilson endorsed
& delivered to the said Jonathan Marsham for three pounds
odd money & is allowed to be allowed & made good as for ready
out of the said ballance so found as the same shall be proved
or made appeare the certaine quantity both of the said note and
bill aforesaid, and the payment thereof duly made as aforesaid.
In testimony whereof we the said Richard Smith & John
Lewellin have hereunto set our hands this sixth day of October
anno Dni 1696 —

Ri: Smith
John Lewellin.

Now this day to wit the sixth day of October anno Dni
1696 came the said Richard Marsham by William Dent his
attorney and the said Jonathan Wilson in his own proper person
litigants and no objection being made on either side it is considered by the Court here that the
said Richard Marsham admin.r aforesaid recover against
the said Jonathan Wilson a debt the summe of eight thousand
seaven hundred & forty pounds of tobacco & seaven hundred
pounds & eleven shillings & six pence sterling the ballance
of the severall accompts aforesaid according to the aforesaid
audit & also the summe of six hundred & ninety & one
pounds of tobacco cost of suit — with allowance of the two
articles mentioned in the said audit & the dist in mercy
&c —