to Robert Athins & Joseph Windham Ashe Esq: with a Condition for the Payment of Six hundred & twenty pounds Sterling with Interest on the fifth Day of September then next Ensuing, Also a Copy of another bond or Writing Obligatory with the Name of Philip Smith & the marke of a Seale to the said Name Subscribed dated the fifth Day of March Seventeen hundred & thirty five Six & the penualty of Twelve hundred pounds Sterling payable to Robert Athyns Joseph Windham Ashe Esq: & Richard Cooke with a Condition for the payment of Six hundred pounds Sterling with Interest on the fifth Day of Nov: then next Ensuing, Also another Bond or Writing Obligatory with the Name of Philip Smith & the marke of a Seale to the said Name Subscribed bearing date the twenty fourth of January Seventeen hundred & thirty Six & the penualty of two thousand Seven hundred pounds Sterling payable to William Webb with a Condition for the payment of One thousand three hundred & fifty pounds Sterling with Interest on the twenty fourth Day of January then next Ensuing, To which said Bonds the following Certificate & Affidavit were annexed, To all to Whom these presents shall come I Sir John Barnard Kn: Lord Mayor of the City of London In pursuance of an Act of Parliament made & passed in the fifth Year of the Reign of our Sovereign Lord King George the Second Intituled an act for the more easy recovery of Debts in his Majesties Plantations & Colonies in America Do hereby certifye that on the Day of the date hereof Personally came & appeared before me John Jones Clerk to Mr. George Thornhill of London Gentleman being a person well known & Worthy of Good credit & by Solemn Oath which he then took before me upon the Holy Evangelists of Almighty God, Did solemnly & sincerely declare testify & depose to be true the Several matters & things mentioned & contained in the Original affidavit hereunto annexed.

In Faith & Testimony whereof I the said Lord Mayor have caused the Seal of the Office of Mayoralty of the said City of London to be hereunto put & affixed, And the Copy of the Bonds mentioned & referred to in & by the said affidavit to be hereunto also annexed. Dated in London the Eighth Day of March in the Year of our Lord 1737.

the Seal of the Mayoralty of the City of London

Barnard

John Jones Clerk to Mr. George Thornhill of London Gentleman maketh Oath That he this Deponent hath carefully examined the Several Copys of the Several Bonds to this Deponents Affidavit annexed with their Originalls and saith they are true Copys thereof as this Deponent verily believes all which said Bonds

(appear)

appear to be executed by Philip Smith deceased in his lifetime which said bonds severally bear date & are made payable to the Several persons following Viz: One dated the first Day of May One thousand Seven hundred & eighteen & made payable to Charles Moore another dated the fifteenth Day of June One thousand Seven hundred & twenty One & payable to Christopher Vernon another bears date the fourth Day of October One thousand Seven hundred & thirty two & is payable to Margaret Thyatt another board date the thirty first Day of July One thousand Seven hundred & thirty four & payable to Robert Ashton Esq: another bears date the fifth Day of March One thousand Seven hundred & thirty five Six and is payable to Robert Athyns & Joseph Windham Ashe Esq: Another is dated the fifth Day of March One thousand Seven hundred & thirty five Six & is payable to Robert Athyns Joseph Windham Ashe Esq: & Richard Cooke and another is dated the twenty fourth Day of January One thousand Seven hundred & thirty Six & is payable to William Webb

Sworn the 8th of March 1737 before me

John Jones

Jno Barnard Mayor

And the Council on behalf of the Defendants desired the Jury aft. to give their Verdicts for the said Philip Smith & William Chapman of & upon the Premisses AND the said Council likewise Desired the Judges aft. that they would inform the Jury aft. that the said Copys of the said Bonds & Writing Obligatory aft. were Good & Sufficient Evidence in Law, And the aft. Justices the aft. Several Copys of the Writings Obligatory aft. did affirm to the Jurors were not Good Evidence in Law By which the said Council for that the aft. Justices to the said Jurors in Evidence Showed do not appear & did request of the said Justices According to the form of the Statute in Such Cases Provided this present Bill which doth contain in it the Matters aft. above by the said Philip Smith & William Chapman to the Jurors aft. offered by which the said Justices at the request of the said Philip Smith & William Chapman this Bill have Sealed at Annapolis aft. &c

Whereupon all & Singular the Premisses being by the Court here seen heard fully understood & Mature Deliberation thereupon had & for that it seems to the Court here that the Law on the Bill of Exceptions aft. is with the Plaintiff

Therefore it is considered by the Justices here that the said Henry Watson recover against the said Philip Smith & William Chapman Admrs. aft. as well the Sum of Seventy One pounds twelve Shillings & Nine pence Sterling his Damages aft. by the Jurors aft. in form aft. assessed as also the Sum of

6551 Pounds of Tobacco by the Court unto him adjudged for his Costs & charges by him about his Suit in this behalf laid out & expended to be levied of the Goods & chattles which belonged to the said Philip Smith the Intestate at the time of his Death & which to the hands of the said Philip & William Admrs. aft. hereafter shall come to be Administred Over & above Sufficient to pay & Satisfye the Several Judgments in their plea aft. mentioned to be obtained against them & the Defts. in Mercy &c