

Liber Z. Richard Gilbert in consideration thereof did at the said severall times assume and promise vnto the said Leonard Calvert that he the said Richard Gilbert would well and faithfully pay the said tobacco vnto the said Leonard Calvert at the cropp next following; the estate of w^{ch} said Richard Gilbert after his decease remained and came into the possession of the said Rose Gilbert: by meanes whereof she became liable to all the debts of the said Richard her late husband and did accordingly since the decease of the said Richard, promise and assume vnto the said Leonard Calvert to pay the said tobacco at the time aforesaid. Neverthelesse the said Rose not regarding her said obligation and assumption, but intending fraudulently to deceive the said Leonard Calvert of the said tobacco, the said three hundred twenty and six pounds of tobacco vnto the said Leonard Calvert according to her said obligation and assumption hath not yet paid althoughe she hath beene often demanded to pay the same by the said Leonard Calvert, but hath refused and still doth refuse to pay the same to the damage of the said Leonard Calvert of foure hundred weight of tobacco. And for this he doth bring his suite, and desireth processe of Court ags^t the said Rose.

Cecilius Lord Propriet^r to Rob^t Percy marshall greeting, we doe hereby command you that you apprehend the body of Rose Gilbert widdow, and keepe her safe so that you have her before vs or o^r Secretary of the Province for the time being on monday next being the 22th of this instant moneth of January to make answere vnto Leonard Calvert Esq in an action of accmpt to the value of 400 w^t of tobacco; & that then you make returne of this writt.

Given at S^t maries this 20th of January 1637 witnessse
Leonard Calvert

And now at this day that is the 20th day of January 1637. the said Rose Gilbert appeared, and saith that she hath paid two hundred fourty and two pound weight of tobacco, & confesseth that she doth owe vnto the said Leonard Calvert the residue of his said demaund, that is to say, fourescore & foure pound weight of tobacco; & saith that she is not able to satisfie the said tobacco in present; but promiseth & assumeth to pay the same at the first season of the next cropp.

p. 10 January:

This day came and appeared Capt: Henry ffleete; and saith that he did borrow and receive of the Adventurors one hundred weight of beaver and that he hath not refused nor doth refuse to pay the same, but hath satisfied to the Lord