

Liber B	Richard Dod by his Attorney M <sup>r</sup> William Prise Plantiue Robert Robins by his Attorney M <sup>r</sup> Abraham Rows Defendant	}	The Plantiue Aresting the defend- ant in an Action of the Case Prefereth his declaration as fol- loweth
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Richard Dod Plantiue  
 Robert Robins Defendant

[p. 423] The Plantiue declaers against the defendant in an action of the Case for that the defendant hat by a Certaine deed under hand wrighting baring daet the seauenth of May A<sup>o</sup> 1664 engaged to deliuer unto the Plantiue one firme bill of sayle for a maer and her increase from the sixth of Aprill A<sup>o</sup> 1664 which was in suit & then ended by order of Court and to auouch the sayle of her Which hath from time to time bin demanded and still Remayneth unperformed which is to the Plantiues damage fifteen hundered pounds of tobacco and Caske whearfor the Plantiue now Craueth humbly order of Court for a bill of sayle for the sayd Maer according to obligation and for his damages with Cost and Charge of suit

In Confirmation of which declaration the Plt Produced the defendants obligation Recorded in this Record folio 153 and humbly Requesteth that that Thomas Hussey and James hays might haue thear oaths giuen them which was granted

Thomas Hussey Sworne and examined in open Court sayeth that hee profered Richard dod fifteen hundered pounds of tobacco Redy downe or tow thowsand pounds of tobacco that is one thowsand this year and the other thowsand next year for that Maer which was in suit betweene Richard Dod and Robert Robins at a Prouinciall Court held At St Maries and thear by Report ended prouided that the sayd Richard dod woold giue him a bill of sayle forthwith for the sayd Maer with the word Auouch in it and thay brake of upon the Accountt that the sayd dod Could not at Present Produce him such a bill of sayle for the sayd Maer and further sayeth not

[p. 424] James Hays Sworne and Examined in open Court sayeth that in or about the first of december last past Thomas hussey Profered Richard Dod fifteen hundered pounds of tobacco Redy downe or too thowsand pounds of tobacco one thowsand of it this year and the other thowsand the next year for that Maer which was in suit at a prouinciall Court betweene Robert Robins and the sayd dod and thear by Report ended always Prouided the sayd dod woold forthwith deliuer him the sayd Hussey a firme bill of sayle for her with the word Auouch in it and thay bracke of upon the Accountt Richard dod sayd hee Coold not at Present Produce a bill of sayle for the sayd Maer and further sayeth not