

Liber M M saith that whereas the said Henry Mitchell the 16<sup>th</sup> day of Novemb<sup>r</sup> 1668 by his certeine bill or writing obligatory Sealed with the scale of y<sup>e</sup> said Henry & here in Co<sup>rt</sup> p<sup>r</sup>duced whose date is the day and yeare first abovewritten did bynde himself his heires Executo<sup>rs</sup> Adm<sup>rs</sup> or assignes to pay unto the said Philip Udall of fflushing his heires Executo<sup>rs</sup> Adm<sup>rs</sup> & assignes the full & Just su<sup>m</sup>e of 3000<sup>l</sup> p. 106 of good sound bright Tobacco and Casque according to content and furthermore the said Henry Mitchell did firmly binde himself his heires Executo<sup>rs</sup> Administrato<sup>rs</sup> and assignes for to transporte the aforesayd su<sup>m</sup>e of Tobacco to New Yorke and for to pay the freight of the Tobacco and also to Runn the Danger of the Sea, that is to say if the ship should be cast away and also the aforesayd Mitchell did Engage himself to Deliver the said su<sup>m</sup>e of Tobacco and Caske at the Porte aforesayd and Did Engage himself to send the Tobacco by M<sup>r</sup> Hilliard the Tenth day of November next Ensueing the date thereof Notwithstanding the said Henry the said su<sup>m</sup>e of 3000<sup>l</sup> Tob hath not payd and Delivered to him the said Philip though often Required but the same to pay & Deliver hath Refused and still doth Refuse whereupon he saith that he is Damnified and hath losse to the vallue of Eight Thowsand pounds of Tobacco and thereupon he bringeth his suite

And the said Henry Mitchell by Vincent Lowe his Attorney cometh and Defendeth the force and injury when &c and prayeth liberty of Speaking thereunto untill the first day of the next Provincial Co<sup>rt</sup>, and the same Day is given to both ptyes.

At w<sup>ch</sup> day that is to say the twelveth day of November in the 42<sup>th</sup> yeare of the Dominion of Caecilius &c Anno<sup>q</sup> Domini 1673. came the aforesayd Philip Udall by George Parker his Attorney and offered himself ag<sup>t</sup> the said Henry Mitchell of and upon the p<sup>r</sup>misses and the said Henry Mitchell appeared not but made Default, wherefore it is considered by the Co<sup>rt</sup> here that the said Philip Udall Recover ag<sup>t</sup> the said Henry Mitchell aswell the said su<sup>m</sup>e of three thowsand pounds of Tobacco his debt aforesayd as also the su<sup>m</sup>e of Seven hundred and Seventeene pounds of Tobacco for his costs and Charges in this behalfe Expended and the said Henry Mitchell in m<sup>r</sup>cy &c.

Henry Hosier & al<sup>l</sup> }  
 ag<sup>t</sup> } otherwise called ffrancis Kilborne of the Prov-  
 ffrancis Kilborne } ince of Maryland in Charles County planter  
 was su<sup>m</sup>oned to answere unto Henry Hosier & John Staynes of a plea that he Render unto them or Either of them for the account of M<sup>r</sup> W<sup>m</sup> Bullock of the City of Bristol Marchant the full & Just su<sup>m</sup>e of Ten hundred thirty foure pounds of good Marchantable Tobacco and Casque to containe y<sup>e</sup> same w<sup>ch</sup> to them he oweth & from them unjustly Deteynes.