

recover of the Said David Small as well the Sume of Two Thousand one hundred and fifty two pownds of Tobacco the Ballance of accounts as above their Debt aforesaid as allso the Sume of four hundred pounds of Tobacco Costs of Suite to the Said Plantives of their assent by the Court here adjudged and that the Said David Small Defendant be in mercy.

Thomas Tany and uxor Plaintiff: Treacys administrator Defendant

Thomas Tany and Jane his Wife Brought his Majesties writt against David Small as Administrator of Charles Treacy Deceased of a Plea that he render unto them the Full Quantity of one Thousand one hundred Ninety and Seven pounds of good Large and dry Leafe Tobacco and Caske to Conteine the Same which from them he unjustly deteineth etc. as by Declaration Filed may appear.

And the Said David Small administrator as aforesaid by Joshua Cecell his attorney cometh and defendeth the force and Injury when etc. and Prayeth Leave to have auditors assigned [508] them to hear and adjust accounts between Each Party according to an ordinance of assembly in Such Cases Made and Provided.

Whereupon the Court doth assigne them auditors (viz.) Mr. Robert Bradley and Mr. William Barton and to returne their auditt this Court.

And now here att this day (to witt) the 26th day of September annoque Domini 1699 came heer as well the Said Thomas Taney and Jane his wife as the Said David Small administrators of Charles Treacy Deceased by their attorneys and the auditors Likewise came and made repourt as followeth. Viz.

[The report is not entered in the Liber.]

Therefore it is Considered that the Said Thomas and Jane his Wife recover against the aforesaid David Small Administrator of Charles Treacy Deceased as well the Sume of their Debt aforesaid as allso the Sume of two hundred and Sixty pounds of Tobacco Cost of Suite to the Said Thomas Taney and Jane his wife of their assent by the Court here adjudged out of the goods and Chattles whereof Charles Treacy att the time of his Death in the Hands of the Said David Small to be administred if he hath soe much in his hands to be administred and the Said David Small in mercy.

Henry Willis Plaintiff: Treacys Administrator Defendant

The Plaintiff by William Stone his Attorney brought his Majesties writt of Capias against David Small administrator of All and Singular the goods Chattles and Creditts of Charles Treacy Deceased of a Plea of Tresspass upon the Case.

Against which the Defendant Mr. David Small administrator as above alleadged there was an account due in Barr of the Said Debt Whereupon it was the Oppinion of the Court to assigne them auditors to hear and adjust accounts between him and the aforesaid Plaintiff According to an ordinance of Assembly in Such Cases made and provided. That is to Say Mr. Robert Bradly and Mr. James Stoddart and to returne their auditt the next Court. Mr. Cecell the Defendants attorney being in the mean time obleidged to procure the rates of Licquors out of Callvert County records att the time the Debt was Contracted.

Treacys Administrator Plaintiff: Teigue Treacy Defendant:

David Small administrator of Charles Treacy Sues the Defendant in an action of Debt it being for three hundred and fifty Gallons of Sider the Defendant obliedging himself and heires etc. for the Payment of the Same as by the Said bill filed appeareth.