

of good sound marshallable tobacco and Caffe to containe the same to be paid upon all demands made by the said Richard Harvis according to order and acceptance of him his heires & assigns upon all demands of either of them after y^e 15th of November next ensuing the date hereof. And he the said W^m Thomas doth promise & agree that the said Richard Harvis shall have all y^e Caffe made upon the plantation at twenty pounds of tobacco & Caffe: y^e 1st & lastly both the said parties to these presents doth hereby Covenant and oblige themselves each to y^e other in y^e observance performance and faithfully all wholly and singularly promissed as they the said parties have agreed & indentured and Covenanted. In Witnesse: At All w^{ch} the aforesaid Richard Harvis have not on his part kept whereupon the p^{te} bringe his date /

Plca: Thomas p^{te}: Harvis def^t:

The def^t: by his Attorney James Sangster Combes & says that he the d^o: p^{te} anon of Covenant ought not to have because y^e Fitz Herbert in his Natura Brevium fol: 145 in his destruction of a Covenant shall & requires that he will not be bound by Covenant if maintainable without specialty w^{ch} said specialty is here wanting to make up the said Covenant legall or maintainable for said writ of Covenant Comp^o: Attorney folio 97 And thus the def^t: pleads in Bar by Jason Sangster p^o: def^t:

Edward Smith being summoned on the behalfs of y^e p^{te}: who faithfully the Covenant & respects him & the def^t: delivered to his keeping desiring that he may be produced the same w^{ch} is read: viz:

Articles of Agreement here made Covenanted & concluded on by and between William Thomas of the County of Somerset and Province of Maryland planter of the part said Richard Harvis of the County and Province aforesaid of the other part this thirteenth day of Maye sixteenth hundred eighty two W^{ch} witnesseth

1st We the said Richard Harvis doth Covenant and Indent to and with the said William Thomas to sell him the said William Thomas have three hands to wit Thomas Barnes & John Fletcher and Negro woman now in the possession of him the said Richard Harvis which hands are to be at the ordering & disposing of him the said William Thomas as to their work and managem^o: of a crop here upon the plantation now in the occupation of him the said Richard Harvis with all y^e beared ground houses and necessaries therunto belonging for the making of a crop and curing & fetching the same to have & possess the said hands houses with other conveniences afove mentioned with the first of November next ensuing the date hereof above written

2^{de} he the said William Thomas doth Covenant and oblige himselfe with the said hands to beat all the Lye that shall be to be beaten upon the plantation belonging to the said Richard Harvis with the said William Thomas shall have the said hands in his possession ordering as for the said William Thomas doth oblige himselfe or that some of the hands shall by his order at all times & times when it shall be required grinde & gett wood for the fire

3^{de} he the said Richard Harvis doth Covenant & promise that if y^e houses now upon the plantation will not containe the Tobacco y^e shall be made by him the said W^m Thomas with the afores^d hands that towards the building of another house that he the said Richard Harvis shall be at y^e charge to hire Carpenter & pay for the carting of Ledge & nails to nails on the rafters upon the Rafters he the said William Thomas is to be at all other charge of building the said house which shall have occasion to built as to getting of Timber fetching of Ledge home or such like

4th he the said Richard Harvis doth Covenant & oblige himselfe to provide him the said William Thomas sufficient Diet washing & Lodging and Toolcs for the said three hands to wit the Toolcs y^e they have now to work with for the said term of time above written and also diet washing & Lodging for the said hands wholly at his the said Richard Harvis his Cost & Charge

5th he the said William Thomas doth promise and agree that the Negro woman shall at all times & times when it is required shall wash or helpe to wash what clothes there shall belong to his the said Richard Harvis family

6th he the said William Thomas doth Covenant & agree to mend or make againe about the organ sufficient to preserve it from hogg & hoxes

7th he the said W^m Thomas doth firmly Covenant and oblige himselfe his heires & assigns & assigns firmly by these presents for the Consideration of the aforesaid hands and promised to pay or cause to be paid unto the said Richard Harvis or his order the full & Just Summe of Six thousand five hundred pounds of good sound marshallable Tobacco & Caffe to containe the same to be paid upon all demands made by the said Richard Harvis according to order and acceptance of him his heires & assigns upon all demands made by either of them after y^e first of November next ensuing the date hereof

8th he the said William Thomas doth promise and agree that the said Richard Harvis shall have all the Caffe that is made upon the plantation at twenty pounds of tobacco & Caffe of Cuffe Bushell of Cuffe And lastly both the said persons to these presents doe hereby Covenant & oblige themselves each to y^e other in the true observance performance and faithfully all wholly & singularly the Promissed as they the said parties have agreed & indentured & Covenanted In witness whereof they have hereunto put their hands & signed their names this thirteenth day of Maye Anno Do^m: 1687

Richard Harvis
W^m Thomas