

Liber N N Benjamin in the just quantity of foure thousand Seven hundred ninety seven pounds of good well condicōned tobacco & cask to be paid att or upon the tenth day of Octob^r next ensueing the date of the same bill obligatory & after upon all demands to the said Benjamin his heyres Exec^{rs} Adm^{rs} or certaine Attorney in some convenient place in Choptank river, to the which paym^t well & truely to be made & done the said Arthur did binde himselfe his heyres Exec^{rs} & Adm^{rs} firmly by those p^rsents Yet the aforesaid Arthur Wright in his life tyme nor the said Abigail since his death to whom Admōn of all & singuler the Goods Chattles Rights & Creditts which were of the said Arthur in his life tyme since his death hath bin cōmitted the said sūme of foure thousand seven hundred ninety Seven pounds of tobacco to him the said Benjamin according to the tenour of the said bill obligatory although often thereunto required hath not paid, but the same to pay hath denyed & as yet doth deny, whereupon the said Benjamin saith he is damnified & hath losse to the Value of five thousand pounds of tobacco, & thereupon he bringeth his suite

And the said Abigail Wright by Robert Carvile her Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provintiall Court & itt is granted unto her, the same day is given to the plaintiffe also.

Att which said next Provintiall Court came as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the said Abigail by her said Attorney saith, that the said Benjamin his action aforesaid against her ought not to have because she saith, that she hath fully Administred all the Goods & Chattles which were of the said Arthur att the tyme of his death, So that she hath no Goods or Chattles which were of the said Arthur att the tyme of the death of the said Arthur in her hands to be Administred nor had the day of the issueing forth of the originall Writt of the said Benjamin this she is ready to averr, & demands judgem^t if the said Benjamin his action aforesaid ought to have against her &c. And the said Benjamin saith, that he by any thing before alledged from having his action aforesaid ought not to be barred Because he saith that the said Defend^t att the tyme of the purchasing the writt aforesaid by the said plaintiffe in the action aforesaid to witt the thirteenth day of April in the yeare of our Lord One thousand six hundred seventy eight had divers Goods & Chattles which were of the aforesaid Arthur att the tyme of his death att Dorchester County aforesaid in her hands remaining to be Administred to the Value of the debt aforesaid out of which the said plaintiffe the debt aforesaid ought to be satisfied And this he prayes may be enquired of by the Countrey. whereupon day is giuen unto both parties untill next Provintiall Court.

Now here att this day to witt the sixth day of June in the fourth