

and thereupon he bringeth his suite and he bringeth also here in Court the Letters Testamentary of the said Richard Bennett whereby it may appeare to the Court here that he is executor of the said Richard Bennett of the Testament aforesaid and to have administration thereof.

And the said Cornelius by Robert Carvile his Attorney cometh and defendeth the force and injury when &c and the said Robert Saith as to one thousand six hundred forty five pounds of tobacco part of the abovesaid sume he confesseth Judgment by Nihil dicit wherefore it is considered of by the Court here to witt the eleventh day of February in the xxxviiith yeare &c that the said James Neale recover against the said Cornelius Stenart the said summe of One thousand six hundred forty five pounds of tobacco with costs

Whereupon it was comanded the Sheriff of Talbott County that he take the said Cornelius Stenart if &c so as he have his body before the justices here to witt the fourteenth day of April next to satisfie the said James Neale aswell the abovesaid debt of One thousand six hundred forty five pounds of tobacco as also three hundred and six pounds of tobacco costs of Suite.

Walter Lane ag^t } The def^t being attached to appeare here at this day
 Samuel Stone } to witt the eighth day of February in the xxxviiith
 yeare of his Löpps Dominion &c to answer unto the said Walter in a plea of trespas upon the Case, the justices here will consider whether the ne exe Reg shall be taken off which the plaintiff hath sued Out against the defendant

Afterwards to witt the xith of the same month of February Ordered by the justices here that the writt abate and that the said Samuel Stone be discharged from the ne exe Reg.

Elizabeth Story ag^t } Josias Fendall late of Charles County Gent was [p. 74]
 Josias Fendall } attached to answer unto Elizabeth Story Ad-
 ministratrix of the goods and Chattells of Walter Story deceased in a plea of trespas upon the case.

And whereupon the said Elizabeth by John Morecroft her Attorney complaineth that whereas the said Josias bought had and received of Walter Story in his life time divers goods and merchandizes from the fifth of march One thousand six hundred sixty foure amounting in all to the summe of foure thousand sixty and One pound of tobacco as it may appeare by a certaine noate of particulars by the said Elizabeth here in Court brought, in consideration whereof the said Josias did assume upon himselfe and to the said Walter in his life time did faithfully promise that he the said Josias the said severall summes of tobacco amounting in the whole to the said summe of foure thousand sixty One pounds of tobacco to him the said Walter well and truly would pay when thereunto required notwithstanding the said Josias