

Liber M M hath above declared against him Therefore it is considered by the Court here that the said Roger recover ag<sup>t</sup> the said Thomas Bankes aswell the said summe of Eight hundred thirty Six pounds of tobacco the debt aforesaid as also the summe of five hundred Seventy One pounds of tobacco for his costs & charges in this behalfe laid Out. but so as execution thereof cease untill the tenth day of November next.

p. 519 The abovesaid judgm<sup>t</sup> should have bin for three hundred & ten pounds of tobacco and costs of Suite.

Roger Baker ag <sup>t</sup> Thomas Bankes	}	Thomas Bankes late of Calvert County otherwise called Thomas Bankes of the Province of Maryland in the County of Calvert was Sum <sup>o</sup> oned to answer unto Roger Baker of London of a plea that he render unto him the Summe of three thousand two hundred pounds of good Sound merchantable tobacco & caske without ground leaves or any Kind of trash whatsoever which to him he oweth & unjustly deteineth.
---	---	---

And whereupon the Said Roger Baker by Robert Ridgely his At-  
 torny Saith that whereas the Said Thomas Bankes the thirteenth day  
 of September One thousand Six hundred seventy three by his cer-  
 taine bill Obligatory Sealed with the Seale of him the Said Thomas  
 and here in Court produced whose date is the day and yeare afore-  
 said did confesse himselfe to be indebted unto the Said Roger in the  
 Said Summe of three thousand two hundred pounds of good Sound  
 merchantable tobacco & casque without ground leaves or any Kind  
 of trash whatsoever payment thereof to be made to the said Roger  
 Baker his heirs executors administrators or assignes To be paid by  
 the said Thomas Bankes to the Said Baker at or upon the tenth day  
 of October next ensuing the date of the Same bill in Patuxent River  
 To the which payment of which tobacco the Said Thomas did bind  
 himselfe his heirs execut<sup>rs</sup> adm<sup>rs</sup> & assignes Notwithstanding which  
 the Said Thomas Bankes the Said Sum<sup>e</sup> of three thousand two hun-  
 dred pounds of tobacco according to the tenor of the Said bill to him  
 the Said Roger hath not as yet paid though often thereunto required  
 but the same to pay hath refused & as yet doth refuse whereupon the  
 Said Roger Saith he is dampnified & hath lost to the value of two  
 thousand pounds of tobacco & thereupon he bringeth his Suite.

And the Said Thomas Banckes the fifteenth day of february in  
 the 43<sup>th</sup> yeare of his Lop<sup>ps</sup> Dominion &c in his proper person cometh  
 into Court and Saith nothing in barre or avoidance of the action  
 aforesaid of him the said Roger because he oweth the said sum<sup>e</sup>  
 of three thousand two hundred pounds of tobacco in such manner  
 and forme as the said Roger hath above against him declared There-  
 fore it is considered by the Court here that the said Roger recover