

by severall writs) for the space of Five dayes to Each Co<sup>rt</sup>, and in Aprill Co<sup>rt</sup> aforesayd when the Cause came to hearing did appeare and give Evidence on the behalfe of the said p<sup>tt</sup>, the said pet<sup>rs</sup> humbly begg ord<sup>r</sup> ag<sup>t</sup> the said Tovey for their Charges at 30 Tob p day amounting in the whole to the Sumē of Thirteene hundred and fifty pounds of Tobacco a peice. Liber M M

Upon w<sup>ch</sup> said petition of the said Rousby and Swinfen It is by the Co<sup>rt</sup> ordered that Thomas Tovey in y<sup>e</sup> said petition named doe pay unto the said pet<sup>rs</sup> Each of them thirteene hundred and fifty pounds of Tobacco, for their attendance & Expences in wayting upon the said Cause in all amounting to the sumē of Two Thowsand seven hundred pounds of Tobacco and Caske. It being allowed to them by this Co<sup>rt</sup> for their attendance as aforesayd.

Then did Richard Smith of Calvert County gent<sup>l</sup> acknowledge in open Court that his Excellency Charles Calvert Esq<sup>z</sup> had payd unto him the sumē of Fourteen Thowsand pounds of Tobacco in full satisfaction of a bond of Twenty Thowsand pounds of Tobacco passed unto the said Smith by the hono<sup>:ble</sup> Wiff Calvert Esq<sup>z</sup> which said bond the said Smith did here in open Co<sup>rt</sup> declare he would Deliver up upon Demand to the said William or his assignes.

Then did the Sheriff of Calvert County bring into this Co<sup>rt</sup> the body of Rich<sup>d</sup> Smith of Calvert County gent<sup>l</sup>, by him taken upon a writ of cap ad sat at suite of Peter Corcellis issueing out of this Co<sup>rt</sup> & returnable here this day w<sup>ch</sup> said Smith was Delivered into the Custody of the Sheriff of St Maryes County by him to be Kept in prison untill he should satisfy unto the said Peter the sumē of 34089<sup>t</sup> Tob. and the said Richard in mercy &<sup>c</sup>

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| Benjamin Cloyster p <sup>tt</sup><br>ag <sup>t</sup>   | } | To his Excellency Charles Calvert Esq <sup>z</sup> p. 3   |
| Richard Smith adm <sup>r</sup> of<br>Tho: Manning deft |   | Cap <sup>t</sup> Generall the hono <sup>:ble</sup> the Chancelour,<br>and the Rest of the Justices of the Pro-<br>vincial Court |

The humble petition of Benjamin Cloyster p<sup>tt</sup>. Humbly sheweth.

That yo<sup>r</sup> pet<sup>r</sup> comenced two suites ag<sup>t</sup> Richard Smith, Adm<sup>r</sup> of Thomas Manning in Calvert County Court, who appeared in June last in the said Court and pleaded plene administravit, and to p<sup>r</sup>vent a fi:fac issueing out ag<sup>t</sup> the Testato<sup>rs</sup> Estate which then could have beene found, the said Richard prayed imparliance till August Court, and then would satisfy the Court by his accompt that he had fully administered which was graunted, That in August Court it appeared by his accompt that he had very great quantityes of Tob in his hands belonging to the Testato<sup>rs</sup> Estate which were assets in his hands and ought to pay debts, but the interest transplanted and Converted to his owne use, and being so found faulty the Court granted Judgm<sup>t</sup>