

Edw ^d English Adm ^r Roger Thorpe ag ^t Tho: Bennet	}	Thomas Bennet late of S ^t Maryes County planter otherwise called Thomas Bennet of the County of S ^t Maryes in the Province of Maryland was Summoned to Answer unto Edward English Adm ^r of all & singuler the	Liber N N
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Goods Chattels & creditts which were of Roger Thorpe deceased of a plea that he render unto him the full & just Sume of five thousand six hundred & thirty pounds of good sound leafe tobacco & sufficient caske to containe the same which from him he unjustly detaineth

And whereupon the said Edward by Robert Ridgely his Attorney saith, that whereas the said Thomas the two & twentieth day of June One thousand six hundred seventy six by his certaine bill obligatory sealed with the Seale of him the said Thomas & here in Court produced whose date is the day & yeare aforesaid, did binde himselfe to pay or cause to be paid unto the said Roger or his Ex^{ts} or assignes or lawfull Attorney the full & just Sume of five thousand six hundred & thirty pounds of good sound leafe tobacco and sufficient caske to containe the same, to be paid either in S^t Maryes or Cecil County, att or before the tenth day of Novemb^r next ensueing the date of the same bill obligatory To the which payment well & truely to be made & performed, the said Thomas did binde himselfe his Ex^{ts} Adm^{ts} or assignes firmly by those p^rsents Notwithstanding which the said Thomas Bennet the said sume of five thousand six hundred & thirty pounds of tobacco to him the said Roger in his life tyme, nor to the said Edward since his death to whom Adm^{con} Of all & singuler the Goods Chattels rights & creditts of the said Roger since his death hath bin comitted, though often thereunto required according to the tenour of the said bill Obligatory hath not paid, but the same to pay hath denyed & as yet doth deny, whereupon the said Edward saith he is damnified & hath losse to the Value of six thousand pounds of tobacco & thereupon he bringeth his suite And the said Edward bringeth into Court here the letters of Adm^{con} to him granted of the Estate of the said Roger, that itt may appeare to the Court here that thereof he hath the Adm^{con}. p. 445

And the said Thomas Bennet by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty of speakeing hereunto next Court, & itt is granted him, the same day is given to the said Edward also.

Now here att this day to witt the three & twentieth day of ffebruary in the third yeare of the dominion of Charles Lord Baltemore &c Annoq̄ Doni 1677. came the said Edward English by his Attorney aforesaid, & offered himselfe against the said Thomas Bennet in the plea aforesaid, but the said Thomas came not but made default Therefore itt is considered by the Court here, that the said plaintiffe recover against against the said Defend^t the aforesaid debt of five