

Liber N N did by his certaine writeing obligatory Sealed with the Seale of the said Thomas here in Court produced whose date is the day & yeare above written did binde himselfe in the penall Summe of Thirty pounds to pay or cause to be well & truely paid unto Samuella Leadbeater or John Cuningham or either of them the full & just quantity of foure thousand two hundred Sixty nine pounds of good & lawfull sound M^rchantable tobacco att or before the fourth day of December next ensueing the date thereof, of which said tobacco he did also further promise & ingage to deliver safely on board the Ann & Elizabeth of Liverpoole att or before the tyme aforesaid without any manner of Charge whatsoever And also att the same tyme & place aforesaid he did oblige himselfe to pay the summe of One hundred forty-four pounds of lawfull & good tobacco, both which Summes in the whole amount to the Summe of foure thousand foure hundred & thirteen pounds of tobacco Notwithstanding which the said Tho: Bennet the said Summe of foure thousand foure hundred & thirteen pounds of tobacco to him the said Samuel Leadbeater hath not paid nor to the said John Cuningham in his life tyme though often there unto required according to the tenour of his said writeing obligatory nor to the said Thomas Carlisle John Watson W^m Hatton & Robert Graham Exec^{rs} of the last Will & testam^t of the said John Cuningham though often thereunto required Whereby action hath accrued to them the said Thomas, John, W^m & Robert to haue & demand of the said Thomas Bennet the Summe of Thirty pounds sterling aforesaid Notwithstanding which the said Thomas the said summe of thirty pounds sterling aforesaid hath not paid according to the tenour of his said bill to them the said Thomas, John, W^m & Robert though often thereunto required, but the same to them to pay hitherto hath & still doth deny to pay to the damage of them the said Thomas John W^m & Robert seven thousand pounds of tobacco & thereupon they bring their suite

And the said Thomas Bennet by Robert Ridgely his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto him, the same day is given to the p^{ts} also

Now here att this day to witt the Eighth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq^{ue} Doni 1678 cometh as well the said plantiffes as the said Defend^t by their Attorneys aforesaid And the said Thomas Bennet by his said Attorney saith, that as to three thousand six hundred Seventy eight pounds of tobacco part of the debt in the above declaracōn mencōned he hath allready satisfied & paid And as to Seven hundred thirty five pounds of tobacco residue of the debt aforesaid he cannot gainsay for that the same remaines due upon the writeing obligatory aforesaid Therefore itt is considered that the Said Thomas Carlisle