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Benjamin Brad Executor of y^e Last Will & Testament of -
Edward Brad Late of this County Dorset: was Com^d to one
Edward South Merchant in p^lea that sh^d Render unto him
y^e sum of one thousand seven hundred fifty & three pounds of tobacco
which from him sh^d unjustly Detaineth &c

And whereupon y^e Edward by W^m Harris his Attorney Complaineth &
saith that whereas y^e afores^d Benjamin Brad: The Testator in his life y^e
twenty sixth Day of May in y^e year of our Lord God one thousand
seven hundred eighty & four: by his Certain Writing Under his hand &
Seal: of him y^e Benjamin: Did Cause himselfe to be bound: to him y^e
Edward in y^e afores^d sume of one thousand seven hundred fifty three
pounds of tobacco: or his Executors: Item or Assigns: as will more at large
Appear by y^e writing afores^d y^e Benjamin y^e Testator nor his
Executors afores^d sume: hath not Rendered According to y^e tenor of
y^e writing: But y^e same to Render hath Refused & as yett hath
Refused to y^e Damage of y^e Edward: the sume of two thousand four
hundred & three pounds: And whereupon he brings his suite - Harris v^e q^d

And how he Cometh into y^e Court y^e writing afores^d in y^e Court
afores^d in forme afores^d is sufficient to be taken as y^e writing
of y^e afores^d

And y^e Elizabeth in her proper person Cometh to shew
y^e Injury upon y^e And for p^lea saith: that y^e Edward his action
against her ought not to stand: for that at y^e time of y^e writing
y^e Original: with sh^d was not admitted Executor of y^e will
of this sh^d Demandor: Judgment of this worshipfull Court: sh^d sh^d
Replyes to y^e p^lea: & saith: that y^e p^lea afores^d is not sufficient
to bar y^e p^l from having his Action: & this he prives may Complain

This Court having Considered y^e Issue: Found & finding that
Instrumentary on y^e Dorset's will was granted to y^e said
p^l the original writ issued forth for Edward Judgment for y^e
p^l for y^e sume of one thousand seven hundred fifty & three pounds
of tobacco to be payed out of the Estate of y^e Dorset & cost of suit

Sh^d sh^d: Considered by this Court that y^e said Edward
shall Recover from y^e Debt out of y^e estate of y^e said
one thousand seven hundred fifty & three pounds of tobacco as cost
of suit &c: