

or Attorney and acknowledge the Demise Entry and actuall Expulsion or in Default thereof Judgem<sup>t</sup> shalbe entred ag<sup>t</sup> the Defend<sup>t</sup> Thomas Momford the casuall Ejecto<sup>r</sup> but any further prosecution against him shalbe spared untill the said Philip in any of the p<sup>r</sup>misses shall make Default And by the Consent of the Councell It is further ordered by the Co<sup>rt</sup> that the said Philip shall take no Advantage ag<sup>t</sup> the p<sup>nt</sup> for not psecuting occasioned by his Default but the said Philip shall pay to the p<sup>nt</sup> the costs by the Co<sup>rt</sup> to be Taxed thereupon and it is further ordered that the Lessor p<sup>nt</sup> shalbe Chargeable w<sup>th</sup> the paym<sup>t</sup> of the Defend<sup>ts</sup> costs by the co<sup>rt</sup> allowed by any meanes taxed & adjudged. and now here at this day to say the 12<sup>th</sup> day of November in the 42<sup>th</sup> year of the Dominion of Caecilius &c Annoq<sup>ue</sup> Domini 1673. according to y<sup>e</sup> above ord<sup>r</sup> a new Declaration was filed and the Cause continued untill the next Co<sup>rt</sup>

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Jonathan Sybrey } Jeremiah Eaton late of Kent County and Mary  
 ag<sup>t</sup> } his wife Administratrix of the goods and Chattells  
 Jeremiah Eaton } of Thomas Ingram late of the said County deceased were summoned to answer unto Jonathan Sybrey of a plea that they Render unto him the sume of thirty Thowsand pounds of Tobacco w<sup>ch</sup> from him they unjustly Deteyne.

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And whereupon the said Jonathan by Vincent Lowe his Attorney saith that whereas the said Thomas Ingram together with John Wright as his security in the life time of the said Thomas to wit the 23<sup>th</sup> day of January in the yeare of our Lord 1667 by their certeine bond or writing obligatory sealed with the seales of them the said Thomas and John and here in Co<sup>rt</sup> pduced whose date is the day and yeare abovesd did acknowledge themselves to owe and stand indebted to the said Jonathan in the sd sum of thirty Thowsand pounds of good sound and marchantable Tobacco in leafe and Casque according to Act of Assembly and for the true & Just paym<sup>t</sup> well and truly to be made and done they did binde themselves their heires Executo<sup>rs</sup> and Adm<sup>rs</sup> Jointly and seu<sup>r</sup>ally for the whole and in the whole 30000<sup>l</sup> Tob aforesyd Yet the said Thomas Ingram and John Wright in the life time of the said Thomas and the said John and Mary while the said Mary was sole and the said John and Jeremiah & Mary since the Intermarriage of the said Jeremiah & Mary although often Demanded the abovesayd sume of 30000<sup>l</sup> Tob have not Rendred to him the said Jonathan but the same to Render unto him have Denyed and the aforesayd Jeremiah and Mary his wife the same to him as yet to Rend<sup>r</sup> doe deny and unjustly deteyne whereupon he saith he is Damnyfyed and hath losse to the vallue of 40000<sup>l</sup> Tob and thereupon he bringeth his suite.

And the said Jeremiah and Mary his wife by John Morecroft their Attorney come and Defend the force and injury when &c and pray the hearing of y<sup>e</sup> said writing obligatory and it is Read unto them