

of two thousand nine hundred sixty three pounds of tobacco according to the tenor of the said Bill obligatory hath not paid to him the said John Cuningham in his life tyme nor to the said Thomas Carlisle John Watson W<sup>m</sup> Hatton & Robert Graham since his death Ex<sup>rs</sup> of the last Will & testament of the said John Cuningham though often thereunto required, but the same to pay hitherto hath & still denies to the damage of the said Tho: Carlisle John Watson Robert Graham & W<sup>m</sup> Hatton foure thousand p<sup>ds</sup> of tobacco & thereupon they bring their suite

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And the said Tho: Keyting by Robert Carvile his Attorney cometh & defendeth the force & injury when &c & prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto him the same day is given to the p<sup>ts</sup> also.

Now here att this day to witt the seventeenth day of June in the third year of the Dominion of Charles Lord Baltemore &c Annoq<sup>o</sup> Doni 1678. came the said parties by their Attorneys aforesaid And the said Thomas Keyting saith nothing in barre or avoidance of the accon aforesaid of them the said Thomas Carlisle John Watson W<sup>m</sup> Hatton & Rob<sup>t</sup> Graham whereby the said p<sup>ts</sup> remaine ag<sup>t</sup> the said defend<sup>t</sup> thereof wholly undefended Therefore itt is considered by the Court here that the said Tho: Carlisle John Watson W<sup>m</sup> Hatton & Rob<sup>t</sup> Graham Ex<sup>rs</sup> as aforesaid recover ag<sup>t</sup> the said Tho: Keyting as well the sume of two thousand nine hundred sixty three p<sup>ds</sup> of tobacco debt As also five hundred & sixty p<sup>ds</sup> of tobacco costs of suite so that Execucon thereof cease untill the tenth day of Octob<sup>r</sup> next ensuing

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| Cuninghams Ex <sup>rs</sup><br>ag <sup>t</sup><br>Thomas Wynne | } | Thomas Wynne late of S <sup>t</sup> Maryes County was<br>Attached to answer unto Thomas Carlisle & John<br>Watson Ex <sup>rs</sup> of the last will & testam <sup>t</sup> of John<br>Cuningham deceased in a plea of trespas upon<br>the case |
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And whereupon the said Tho: Carlisle & John Watson by Kenelm Cheseldyn their Attorney complaine, that whereas the said Tho: Wynne the twentieth day of July one thousand six hundred seventy six stood indebted unto the said John Cuningham the sume of two thousand nine hundred & twelve pounds of tobacco for & upon the accompt of one Henry Ryder of S<sup>t</sup> Maryes County, the said Thomas did assume upon himselfe & to the said John Cuningham did faithfully promise, that he the said Tho: the same when thereunto required would well & truely content & pay, Notwithstanding which the said Tho: Wynne the sume of two thousand nine hundred & twelve p<sup>ds</sup> of tobacco to him the said John in his life tyme hath not paid nor to the said Tho: Carlisle & Jn<sup>o</sup> Watson since his death though often thereunto required, but the same to pay hitherto hath & still doth deny to the damage of the said Tho: Carlisle & John