

yeare aforesaid cometh as well the said plaintiffe as the said Defend<sup>t</sup> by their Attorneys aforesaid And the jurors impannelled being called likewise come to witt Richard Marsham, Leonard Green, W<sup>m</sup> Thomas, W<sup>m</sup> Watson, Thomas Jones, John Glover, Robert Bryan, George Godfrey, Theophilus Turford, Edward Turner, Philip Pocock & Joshua Guibert who being Elected tryed & Sworne to say the truth in the p<sup>r</sup>misses upon their Oaths doe say that the said W<sup>m</sup> Coleborne did not assume & promise in manner & forme as the said Robert above against him hath declared Therefore itt is granted that the said Robert Williams take nothing by his writt aforesaid, but be in mercy for his false clamour thereupon prosecuted And the said W<sup>m</sup> Coleborne may goe thereof without day And that the said W<sup>m</sup> Coleborne recover against the said Robert Williams the Summe of One thousand Seventy & nine pounds of tobacco for his costs & charges by him about his defence in this behalfe sustained to the same W<sup>m</sup> by the discretion of the Justices here adjudged And that the said W<sup>m</sup> may have thereof Execucōn

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| Thomas Carlisle<br>John Watson Ex <sup>rs</sup><br>Jn <sup>o</sup> Cuningham<br>ag <sup>t</sup><br>Jn <sup>o</sup> Addison Ex <sup>r</sup><br>Nich: Proddy | } | John Addison M <sup>r</sup> chant late of S <sup>t</sup> Maryes<br>County Ex <sup>r</sup> of the last Will & Testam <sup>t</sup> of<br>Nicholas Proddy gentl a <sup>s</sup> dictus Nicholas<br>Proddy of Charles County in the Province of<br>Maryland gentl was Attached to Answer unto<br>Thomas Carlisle & John Watson M <sup>r</sup> chants<br>Exec <sup>rs</sup> of the last Will & testam <sup>t</sup> of John Cun-<br>ingham M <sup>r</sup> chant of a plea that he render unto them ffive thousand<br>Eight hundred & fifty pounds of tobacco which to them he oweth &<br>from them he unjustly detaineth |
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And whereupon the said Carlisle & Watson by Kenelm Cheseldyn their Attorney, saith, that whereas the said Nicholas Proddy upon the twenty fifth day of May Anno Doni One thousand six hundred Seventy six by his certaine bill or writeing obligatory sealed With whose date is the day & yeare abovesaid did confesse & acknowledge himselfe to owe & stand justly indebted unto the abovesaid John Cuningham deceased in the just & full summe of the said ffive thousand Eight hundred & fifty pounds of good sound M<sup>r</sup>chantable leafe tobacco in caske, which said summe of ffive thousand Eight hundred & fifty pounds of tobacco he did thereby promise & ingage to pay or cause to be well & truely paid to the said John Cuningham to his Ex<sup>rs</sup> or assignes or to his certaine Attorney att some convenient place in the said County & that upon all demands after the tenth day of October next ensueing the date thereof, for the true payment whereof the said Nicholas Proddy did binde himselfe his Exec<sup>rs</sup> & Adm<sup>rs</sup> firmly by the said Yet notwithstanding the said Nicholas Proddy in his life tyme nor the said John Addison since his death

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