

Nov. 6th 1707

hundred eighty & seven pounds of Tob. to y^e s^r. Def^t. Postator and therefore y^e same be discompted out of y^e. Plt^s demands of seven thousand & seven hundred pounds of Tob. Whereupon y^e s^r. Def^ts by their att^r. Att^r. pray Judg^e. on y^e. Verdict att^r. Therefore it is Considered by y^e. Co^{rt}. here That y^e s^r. Plt^s in their att^r. capacity take nothing by their writ doed. att^r. but for their false clamour they & their p^rodges of prosecuting be in mercy and y^e s^r. Def^t goe thereof wth out day And also y^e s^r. Def^t in their s^r. capacity doo recover ag^t. y^e s^r. Plt^s y^e. sume of fifty pounds of Tob. for their Non suits and also y^e. sume of five hundred ninety & five pounds of Tob. costs by y^e s^r. Def^t. ab^t. their defence in this behalf^e expended and by y^e. Co^{rt}. here of their assent adjudged And that y^e s^r. Def^t have Execution thereof

At Test
C^t Smith

M^r John Carroll

Dominick Henflaghe Wth & Ex^r. Elias King

Kent County
in Maryland

Edw. Scott & Tho^s. Ringold both of Kent County Gent. Ex^r. of y^e. last Will & Testam^t. of Elias King late of Kent County att^r. Gent.

Doe. were attach^d to answer unto Dominick Henflaghe of s^r. County Planter & Marg^rett his Wife of a p^rce of Res^t upon y^e. case And wherupon y^e s^r. Dominick & Marg^rett by Apher Phillipson their Attorney complain^d. For that wheroc^s y^e. att^r. Marg^rett when sol^d viz^t. some time in y^e. Month of June one thousand seven hundred & two at Kent County att^r. wth in y^e. Jurisdiction of this Co^{rt}. delivered one h^d. of Tob. of five hundred eight pounds and that at y^e. spe^c. instance & request of y^e s^r. Elias and also upon y^e. s^r. seventh of May one thousand seven hundred & three the y^e s^r. Marg^rett at y^e. like spe^c. distance & request of s^r. Elias then alive in Kent County att^r. wth in y^e. Jurisdiction of this Co^{rt}. did deliver more viz^t. five h^ds. of Tob. of near two thousand five hundred & eight pounds of Tob. For both w^{ch}. sumes amounting to three thousand & six one pounds of Tob. to y^e s^r. Elias did then there viz^t. upon y^e s^r. s^r. seventh of May one thousand seven hundred & three and also upon y^e. tenth of Nov^r. one thousand seven hundred & six at Kent County att^r. wth in y^e. Jurisdiction of this Co^{rt}. in his life time did upon himself^s a sume and unto y^e s^r. Marg^rett faithfully promise to make good paym^t. in merchandize or otherwise fairly & honestly to satisfie her for y^e. same Nevertheless y^e. att^r. Elias altho^{ugh} then required by y^e s^r. Marg^rett going sol^d did not pay or any way satisfie for y^e. same Neither have y^e s^r. Ex^r. paid unto y^e s^r. Dominick & Marg^rett since y^e. death of y^e s^r. Elias and y^e s^r. Ex^r. betw^{en} y^e s^r. Dominick & Marg^rett celebrated paid y^e. same although upon y^e. seventh day of Aug^t. An^o. Dom^o one thousand seven hundred & seven in their capacity of Ex^r. att^r. by y^e s^r. Dominick & Marg^rett they have been required but y^e. same to them to pay have deny^d and as yett doe deny & gain say Whereupon they

they