County aforesaid. To which payment well & truely to be made
& done the said Michael did binde himselfe his heires
Ex^rs & Admin^rs firmly by these presents. Nevertheless the
said Michael Tanty the said summe of One thousand five
hundred & sixty six pounds of tobacco unto him the said
Charles Gosfright in his life time or unto them the said
Richard Marsham & George Lingham Ex^rs of the last
Will & Testam^t of the said Charles since his death according
to the tenour of the said writing obligatory though often
thereunto required hath not paid, but the same to pay
hath denyed & still doth deny in hinderance of the
execution of the Letters testamentary to them by the Hon^ble
Philip Calvert Esq^r Comissary Gen^ll of Maryland under
the right Hon^ble the Lord Prop^ry granted, whereupon
they say they are the worse and have lost to the value
of three thousand pounds of tobacco & thereupon they
bring their suite. And the said Richard & George being
here in Court their Letters testamentary whereby it
may appeare to the Court here that they are Ex^rs of the
last Will & testament of the said Charles as aforesaid.

And the said Michael Tanty by Charles Boteler his
Attorney cometh & defendeth the force & injury when &c
prayeth liberty to imparle hereunto until next Provincial
Court & it is granted unto him, the same day is given to the
plaintiffs also.

Now here all this day to wit the Eleventh day of
October in the fourth year of the Dominion of the right
Hon^ble Charles Lord Baltimore &c Lord & Prop^ry &c. and
the said p^ties by their Attorney aforesaid. & offered themselves
against the said Defend^t in the plea aforesaid, but
the said Defend^t came not but made default. Therefore it
is considered that the said Richard Marsham & George
Lingham Ex^rs as aforesaid recover against the said Michael
Tanty as well the summe of One thousand five hundred
sixty & six pounds of tobacco dict^ obs^ also five hundred
forty four pounds of tobacco costs of suite. And the Defend^t
in mercy &c.

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Gosfright Ex^rs &c ag^t Michael Tanty

Michael Tanty late of Calvert County otherwise
called Michael Tanty of Calvert County Gentleman
was attached to answer unto Richard Marsham
& George Lingham Ex^rs of the last Will & Testam^t
of Charles Gosfright deceased in a plea that he
render unto them the just quantity of Seven
thousand one hundred & eighteen pounds of
tobacco & cask which from them he unjustly detaineth.
And whereupon the said Richard & George by Christopher
Rousby their Attorney say that whereas one Edward Gibbs
late of Somerset County & the said Michael Tanty the four and
twentieth day of April in the yeare of our Lord One thousand
six hundred seventy eight by their certaine writing
Obligatory sealed with the Seales of them the said Edward
& Michael here in Court produced whose date is the same
day

day & yeare above written, did acknowledge themselves to
owe & be firmly bounden & indebted unto the said Charles
Gosfright of Calvert County Merchant in the just & true quantity
of Seven thousand one hundred & eight pounds of tobacco
& cask Sufficient the said Charles
Gosfright should lawfully accept of, to be paid unto the said
Charles Gosfright or to his certaine Attorney his Ex^rs Adm^rs
or assignes att the then dwelling plantation of him the
said Charles or att some other plantation in the river of Patuxent
or on board some Ship in Patuxent river att the choice of
him the said Charles upon the tenth day of November next
ensuing the date thereof. For the which payment well and
truely to be made, they the said Edward & Michael did bind
themselves & either of them their & either of their Ex^rs
Ad^rs & Admin^rs for the whole & in the whole jointly and
severally firmly by these presents. Notwithstanding the said Edward
& Michael the said summe of Seven thousand One hundred &
Eighteen pounds of tobacco unto the said Charles Gosfright
in his life time or unto them the said Richard & George
Ex^rs of the last Will & testam^t of the said Charles since his
death according to the tenour of the said writing obligatory
though often thereunto required, hath not paid, but the
said summe of Seven thousand one hundred & Eighteen pounds
of tobacco unto them the said Richard & George to pay hitherto
hath denyed, & the said Michael Tanty still doth deny to pay
the same, in hinderance of the execution of the Letters
testamentary to them by the Hon^ble Philip Calvert Esq^r
Comissary Gen^ll of the Province of Maryland under the right
Hon^ble the Lord Prop^ry & committed, whereupon they say
they have damaged to the value of tenn thousand pounds
of tobacco & thereupon they bring their suite. And the said
Richard & George bring here into Court their Letters
testamentary whereby it may appeare to the Court here
that they are Ex^rs of the last Will & testam^t of the said
Charles as aforesaid.

And the said Michael Tanty by Charles Boteler
his Attorney cometh & defendeth the force & injury when
&c and prayeth liberty to imparle hereunto until next
Provincial Court & it is granted unto him, the same day
is given to the plaintiffs also.

Now here all this day to wit the Eleventh day
of October in the fourth year of the Dominion of the right
Hon^ble Charles Lord Baltimore &c Lord & Prop^ry &c. and
the said p^ties by their Attorney aforesaid, & offered themselves
against the said Defend^t in the plea aforesaid, but the
said Defend^t came not but made default. Therefore it is
considered that the said Richard & George Ex^rs &c
recover against the said Michael Tanty as well the summe
of Seven thousand one hundred & Eighteen pounds of
tobacco dict^ obs^ also five hundred forty four pounds of
tobacco costs of suite. And the Defend^t in mercy &c.

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