

And the said Thomas Wynne by Robert Ridgely his Attorney cometh and defendeth the force and injury when &c and prayeth hearing of the writeing aforesaid and it is read unto him he prayeth also the hearing of the Condition of the said writeing and it is read unto him in these words The Condition of this Obligation is such That if the above bounden Thomas Wynne shall well and truly performe fullfill and Keepe every clause and article contained in certaine Articles of agreement interchangably Sealed betweene the said Thomas Wynne and the abovenamed George Manwareing and bearing date the day of the date of these presents then this Obligation to be void and of none effect otherwise to stand remaine and be in full force and Virtue. which being read and heard the said Thomas Saith that he by virtue of the said writeing Obligatory of the said debt in the said writeing mentioned Ought not to be burthened because he Saith that he the said Thomas hath well and truly performed observed fulfilled & Kept every clause and article contained in the said Articles of Agreement in the said Condition of the said writeing Obligatory mentioned which on the part of the said Thomas was to be performed observed fulfilled and Kept and the said Thomas prayeth the hearing of the said Articles of Agreement and that the said Thomas and Henry may His breach therein assigne. Liber M M

And the Said Thomas and Henry Say that they the said Thomas and Henry from haveing their action aforesaid against the said against the said Thomas ought not to be barred for that they say that the said Thomas Wynne hath not performed fulfilled and Kept the clauses and articles in the Said Articles of agreement in the condition of the said writeing Obligatory mentioned which on the part of the said Thomas was to be observed fulfilled and Kept for that the said Thomas hath not returned the bills and accompts received of the said George amounting to the summe of twenty thousand eighty foure pounds of tobacco in his life time nor to the said Thomas and Henry since his death nor rendred his accompt of the tobaccos received by him for the use of the said George as by the said writeing of Articles it more fully appeares he ought and this they pray may be inquired off by the Country. and the said Thomas Wynne likewise. Therefore it is this day to witt the 13th day of December in the 43th yeare of the Dominion of Caecilius &c comāded the Sheriff of S^t Maries County that he cause to come here twelve &c by whom &c to recognize &c who neither &c because aswell &c. p. 417

Att which day came aswell the said Thomas and Henry by their Attorney and the said Thomas Wynne by his Attorney and the jurors of that jury likewise came to witt Thomas Hussy James Thompson Philip Lines John Rice Thomas Knighton John Bigger Thomas Chandler John Balley Thomas Kemp Richard Chilman W^m Stacey and Thomas Doxey who being impannelled sumōned and swore to