

Liber N N taine bond or writeing Obligatory Sealed with the Seale of him the Said Charles & here in Court produced whose date is the day & yeare abovesaid did confesse himselfe to be holden and firmly bounden unto the said John Quigley in the full & just summe or quantity of twenty foure thousand eight hundred forty two pounds of good Sound merchantable tobacco & caske to be paid to the said John Quigley or to his certaine Attorney his heirs executors adm^{rs} or assignes To which payment well & truly to be made he did bind himselfe his heirs executors & administrators, Yet notwithstanding the said Charles Delaroch in his life time nor the Said Elizabeth Since his death the said summe of twenty foure thousand eight hundred forty two pounds of tobacco to him the said John according to the said writeing Obligatory hath not paid but the same hath hitherto altogether denied & refused to pay or Satisfie & Still doth deny to pay the Same to the damage of the said John thirty thousand pounds of tobacco & thereupon he bringeth his Suite.

And the Said Elizabeth by Robert Ridgely her Attorney cometh and defendeth the force and injury when &c & prayeth the hearing of the Said writeing Obligatory and it is read unto her he also prayeth hearing of the condition of the Said writeing Obligatory and it is read unto her in these words The Condition of this Obligation is Such that if the above bound Charles Delaroch his heirs executors adm^{rs} or assignes or any of them shall pay or cause to be paid to the within named John Quigley or to his certaine Attorney his heirs execut^{rs} & adm^{rs} or either of them the full & just summe or quantity of twelve thousand foure hundred twenty One pounds of like good Sound & merchantable tobacco & caske for a valuable consideration received in hand to be paid to the said John Quigley as aforesaid at or before the tenth day of October next ensueing the date hereof in some convenient place in Talbott Kent and S^t Maries Countyes near the waterside then this Obligation to be void & of none effect or else to stand & remaine in full power force & virtue.

Which being read & heard the Said Elizabeth Saith that the said John his action aforesaid against the said Elizabeth upon the writeing Obligatory aforesaid cannot mainteine because she Saith that the Said writeing Obligatory is not the deed of the Said Charles Delaroch deceased & this she is ready to averr & therefore demands judgment if the said John his action aforesaid against her as executrix of the said Charles ought to have.

And the said John saith he ought not to be barred of his action aforesaid because he saith the writeing aforesaid is the Act & deed of the said Charles Delaroch dec^d and of this he prayes may be enquired of by the Country and the said Elizabeth likewise whereupon it is Comanded the Sheriff of s^t Maries County that he cause to come here to wit at s^t Maries the fifth day of December Anno 1676 twelve &c by whom &c who neither &c to recognize &c because as-