

of tobacco costs of Suite, but So as execution Stay untill debts of a higher nature be first Satisfied and paid. Liber N N

Jacob Leistler ag <sup>t</sup> Elizabeth Delaroch ex <sup>x</sup> Charles Delaroch	}	Elizabeth Delaroch late of s <sup>t</sup> Maries County executrix of the last will & Testaments of Charles Delaroch deceased was Sumōned to answer unto Jacob Leister of a plea that she render unto him the summe of sixty two pounds of tobacco which from him she unjustly deteineth	p. 216
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And whereupon the said Jacob by Robert Carvile his Attorney saith that whereas the said Charles Delaroch upon the five and twentieth day of february in the yeare of Our Lord 1674 by his certaine bond or writeing Obligatory Sealed with the seale of him the said Charles & here in Court produced whose date is the day and yeare abovesaid did confesse & acknowledge himselfe to Owe and Stand justly indebted unto the said Jacob Leisler in the full & just Summe of Sixty two thousand pounds of good Sound merchantable tobacco in caske to be paid to the said Jacob Leisler his heirs execut<sup>rs</sup> adm<sup>rs</sup> or assignes at some convenient place in S<sup>t</sup> Maries County upon all demand after the tenth of October next following the date thereof Yet notwithstanding the Said Charles in his life time nor the said Elizabeth Since his death though often thereunto required the said summe of sixty two thousand pounds of tobacco to him the said Jacob have not rendred or paid but the same to pay have hitherto denied & refused & Still doe deny & refuse to the damage of the said Jacob eighty thousand pounds of tobacco & thereupon he bringeth his Suite.

And the said Elizabeth by Kenelm Cheseldyn her Attorney cometh & defendeth the force & injury when &c and prayeth heareing of the writeing Obligatory aforesaid & it is read unto her she also prayeth the heareing of the Condition of the said writeing Obligatory & it is read unto her in these words The Condition of this present Obligation is such that if the abovebounden Charles Delaroch his execut<sup>rs</sup> or assignes shall well & truly pay or cause to be paid unto the abovenamed Jacob Leisler his heirs assignes or Order the summe of thirty One thousand pounds of Sound merchantable tobacco in caske, twenty foure thousand pounds of it is to be paid Out of the publique pay which is now present due en de rest being Seaven thousand pounds in manner as is above exprest which said summe of tobacco is for a consideration in hand already by me received Then this p<sup>r</sup>sent Obligation to be void & of none effect or else to remaine & be in full force effect & virtue Sealed with my seale the 25<sup>th</sup> of february Anno<sup>q</sup> Do<sup>m</sup> 167<sup>4</sup>. which being read & heard the said Elizabeth by Kenelm Cheseldyn her Attorney cometh & defendeth the force & injury when &c and saith that the conditions of the aforesaid Obligations are well and truly observed & paid and of this