

And the said Thomas Smith by Christopher Rousby his Attorney Liber N N
 cometh & defendeth the force & injury when &c And the said Tho:
 prayeth the heareing of the said writing Obligatory & itt is read
 unto him, he also prayeth the heareing of the Condiçõn of the same
 writing obligatory & itt is read unto him in these words The condi-
 cõn of this Obligacon is such That if the above bound Thomas Smith
 his heyres Ex^{rs} or assignes shall duely & truely pay or cause to be
 paid unto W^m Pyper his Attorney or assignes the full & just Sume
 of One thousand & five pounds of good sound m^rchantable tobacco
 & caske att or upon the twentieth day of December next in the
 County of S^t Maryes, then this Obligacon to be void, else to re-
 maine in full power force & vertue, Which being read & heard the
 said Thomas Smith by the said Christopher Rousby his Attorney
 saith that he cannot deny but that true itt is that he the said Thomas
 the said twenty eighth day of Novemb^r one thousand six hundred
 Seventy six by his certaine writing obligatory in manner & forme
 as in the said Declaracõn is expressed, did acknowledge himselfe to
 be bound unto the said W^m Pyper in the sume of two thousand &
 tenn pounds of tobacco & caske with Condiçõn that if the said
 Thomas his heyres Ex^{rs} or assignes should pay or cause to be paid
 to the said W^m Pyper his Attorney or assignes the just quantity of
 one thousand & five pounds of tobacco & caske att or upon the said
 twentieth day of Decemb^r then next ensueing in S^t Maryes County,
 then the same obligacõn to be void, otherwise to remaine in full
 force, as by the same W^m agst him the said Thomas above is declared
 But the said Thomas for plea saith, that before the sueing out the
 Originall Writt of this action to witt The said twentieth day of p. 424
 Decemb^r & for a long tyme before & after, he The said W^m Pyper did
 employ one John Dormond as his ffactor & Receiver of tobacco in
 this Province & dureing that tyme & before the sueing out the said
 Originiall writt to witt the said twentieth day of December One
 thousand six hundred seventy six he the said W^m did request &
 order him the said Thomas to pay the said one thousand & five pounds
 of tobacco & caske due as aforesaid to the said W^m unto the said
 John Dormond for the use of the said W^m And did declare that such
 payment should be sufficient satisfaccon to him the said W^m Pyper
 And the said Thomas further, saith, that in compliance with the
 request & order aforesaid of him the said W^m & for the satisfaccon
 of the said debt, he the said Thomas afterwards to witt the said
 twentieth day of December One thousand six hundred seventy six &
 before the sueing out of the originall Writt aforesaid, did pay unto
 him the said John Dormond as ffactor & Receiver of the said W^m &
 for the use of him the said W^m the said sume of One thousand &
 five pounds of tobacco & caske due to the said W^m by the obligaçõn
 aforesaid & of this he putts himselfe upon the Countrey, & the said
 plaintiffe likewise Therefore comand is giuen to the Sheriffe of
 s^t Maryes County that he cause to come here twelve &c