

And whereupon the said Garret VanSweringen by George Parker his Attorney saith, that whereas the said Thomas Hedge the seventh day of April Annoq̄ Doni One thousand six hundred seventy & six by his certaine bond or writeing obligatory sealed with the Seale of the said Thomas Hedge & here in Court produced whose date is the day & yeare first abovesaid, was holden & firmly bound to Garret VanSweringen of the Citty of S^t Maryes in the Province of Maryland Innholder in the full sume & just quantity of Eleven thousand pounds of good sound & every way well condiconed M^rchantable tobacco & cask to be paid to the said Garret VanSweringen or to his certaine Attorney his Ex^{rs} Adm^{rs} or assignes To which paym^t well & truely to be made & done he the said Tho: Hedge did binde himselfe his heyres Ex^{rs} & Adm^{rs} firmly by those p^rsents Notwithstanding which the said Thomas Hedge the said sume of Eleven thousand pounds of tobacco according to the tenor of the said bond or writeing obligatory although often demanded hath not paid, but the same to pay hath refused & still doth refuse, whereupon the said Garret saith he is damnified & hath losse to the Value of sixteen thousand pounds of tobacco & thereupon he bringeth his suite

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And the said Thomas Hedge by Kenelm Cheseldyn his Attorney comes & defends the force & injury when &c & prayeth the hearing of the said bond or writeing obligatory & itt is read unto him he also prayeth the hearing of the Condicon of the said bond or writeing obligatory & itt is read unto him in these words The Condicon of this p^rsent above written obligation is such, that if they the above bounden Thomas Hedge & Samuell Boston they or either of them their or either of their heyres Ex^{rs} Adm^{rs} or assignes shall & doe well & truely pay or cause to be well & truely paid unto James Stavely of the County of Baltemore aforesaid M^rchant or to his certaine Attorney his heyres Ex^{rs} Adm^{rs} or assignes, or to the order or assignes of the said Garret VanSweringen the full & just Sume & just quantity of five thousand & five hundred pounds of good sound & every way well condiconed M^rchantable tobacco & cask upon the tenth day of Octob^r now next ensueing the date Hereof in some convenient place in Baltemore County aforesaid within one Mile of the water side without any fraud or further delay that then this p^rsent above written obligacon shall be void & of none effect, otherwise to stand & remaine in full power force strength & vertue Which being read & heard the said Thomas Hedge by his Attorney aforesaid prayed liberty to imparle hereunto untill next Court & itt is granted unto him, the same day is given to the plaintiffe also.

Now here att this day to witt the ffifteenth day of June in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doni 1678 came the said Garret VanSweringen by his Attorney aforesaid & offered himselfe ag^t the said Thomas Hedge in the plea aforesaid, but the said Thomas came not but made default Therefore