

And whereupon the said Dominick and Redmond by Christopher Rousby their Attorney Say that whereas the said John the 24th day of february 1675 by his certaine writeing Obligatory Sealed with the Seale of him the Said John & here in Court produced whose date is the day & yeare abovesaid did acknowledge himselfe to be oweing and indebted unto the Said Dominick Bodkin and Redmond ffitz Gerald in the full and just quantity of twelve thousand pounds of tobacco and caske to containe the same to be paid to the Said Dornick Bodkin & Redmond ffitz Gerrald their heirs execut^{rs} adm^{rs} or assignes upon all demands To the which payment well & truly to be made & done he the said John did bind himselfe his heirs execut^{rs} & adm^{rs} in the whole & for the whole firmly by those presents notwithstanding which the said John the said twelve thousand pounds of tobacco & caske unto the said Dominick & Redmond hath not paid though often thereunto required but the same to pay hath denied & still doth deny Whereupon the said Dominick & Redmond Say they are damnified & have losse to the value of fourteene thousand pound of tobacco And thereupon they bring their Suite.

And the said John fflanning by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth heareing of the writeing aforesaid and it is read unto him he also prayeth heareing of the Condition of the said writeing and it is read unto him in these words The Condition of the above Obligation is Such That if the abovebounden John fflannin his heirs execut^{rs} adm^{rs} or assignes due & shall pay or cause to be paid to the said Dominick Bodkin or Redmond ffitz Gerarld merchants or to any or either of them their heirs execut^{rs} adm^{rs} or assignes the full and just quantity of six thousand pounds of good sound merchantable tobacco in caske at or upon the tenth day of October next ensueing the date hereof at some convenient place of landing in Charles County without fraud or deceit that then this p^rsent Obligation to be void & of none effect otherwise to stand in full force Strenght & virtue in Law. which being read & heard the said John prayeth liberty to imparle hereunto untill the next Court & it is granted him the same day is given to the plaintiffs.

Now here at this day to wit the fourth day of October in the second yeare of his Lopps Dominion &c Annoq̄ Doñ 1677 Came the Said Dominick & Redmond by their Attorney aforesaid & offered themselves against the said John in the pleas aforesaid & the Said John by his said Attorney came also & the said John Saith that as to nine thousand five hundred Seventy two pounds of tobacco he cannot gainsay for that he oweth the same to the said Dominick and Redmond & is content that judgment passe against him for the same.

Whereupon it is granted by the Court here That the Said Dominick Bodkin recover against the said John fflanning the summe of three thousand nine hundred fifty foure pounds of tobacco debt with