

Liber N N Attorney saith, that whereas the said John Garnis upon the twentieth day of May in the yeare of our Lord One thousand six hundred Seventy & eight 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 owe and was indebted unto Samuell Allen of Southampton in the Kingdome of England M^rchant the full & just Summe of twenty five thousand one hundred & Eighty pounds of good sound M^rchantable & every way well condicōned tobacco in cask due to be paid to Richard Smith jun^r & Michael Allen of Calvert County or either of them their heyres Ex^{rs} Adm^{rs} or assignes for the proper use of the aforesaid Samuel Allen in some convenient place in S^t Maryes County when demanded To the which paym^t well & truely to be made he did binde himselfe his heyres Exec^{rs} & Adm^{rs} firmly by those p^rsents Nowithstanding which the said John Garnis though often thereunto required the summe of twenty five thousand one hundred & Eighty pounds of tobacco according to the tenour forme & effect of his said bill hath not paid nor rendred, but the same to pay hath hitherto denied & still doth deny, whereupon the said Samuell Allen saith he is damnified & hath losse to the Value of Thirty thousand pounds of tobacco & thereupon he bringeth his suite

And the said John Garnis in his proper person comes & defends the force & injury when &c and prayeth hearing of the said writeing & itt is read unto him, he also prayeth hearing of the Condicōn of the said writeing & itt is read unto him in these words following. The Condicōn of this Obligacōn is such, that if the above bounden John Garnis his heyres Ex^{rs} Adm^{rs} or either of them shall well & truely pay to Richard Smith jun^r & Michael Allen or either of them their heyres Exec^{rs} Adm^{rs} or assignes for the proper use of Samuell Allen above expressed the Summe of twelve thousand five hundred & ninety pounds of good sound M^rchantable & every way well condicōned tobacco in cask att or upon the tenth day of Novemb^r next ensuing the day of the date hereof conveniently in S^t Maryes County, then this Obligacōn to be void & of none effect, otherwise
 p. 856 to stand & remaine in full force & vertue, which words being Read & heard the said John Garnis saith, that as to tenn thousand three hundred Sixty & nine pounds of tobacco part of the debt aforesaid he is content that judgm^t passe against him for the same, the residue of the said debt being already satisfied & paid Therefore itt is considered that the said Samuell Allen recover against the said John Garnis the said Summe of tenn thousand three hundred Sixty & nine pounds of tobacco debt And also five hundred Sixty foure pounds of tobacco costs of suite And the Defend^t in mercy &c And the p^t in mercy for his false plaint against the Defend^t for the residue of the Debt aforesaid And the Defend^t may goe thereof without day &c