

the said Henry Johnson His damages susteyned by occasion of the trespas aforesaid, but because itt is not known to the Court here what damages the said James hath sustained by occasion of the p^rmisses Itt is ordered by the Court here that a Writt of Enquiry of damages issue returnable att the next Provinciaill Court

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Peter Sayer & John Brooke
ag^t
John Quigley

} John Quigley late of S^t Maryes County otherwise called John Quigley of S^t Maryes County in the Province of Maryland M^rchant was Sumⁿoned to Answer unto Peter Sayer of Talbot County gentl & John Brooke of Dorchester County Chirurgion of a plea that he render unto them the sume & just quantity of Twenty six thousand six hundred Eighty & Eight pounds of good sound every way well condicōned M^rchantable tobacco & caske w^{ch} to them he oweth & unjustly doth detaine

And whereupon the said Peter & John by Charles Boteler their Attorney say, that whereas the said John Quigley upon the One & twentieth day of April Annoq̄ Domini One thousand six hundred Seventy seven by his certaine writeing obligatory Sealed with the Seale of him the said John and here in Court produced whose date is the day & yeare abovesaid was held & firmly bound to Peter Sayer of Talbot County gentl & John Brooke of Dorchester County Chirur- gion in the sume & just quantity of twenty six thousand six hundred Eighty & Eight pounds of good sound every way well condicōned tobacco & caske to be paid to them the said Peter Sayer & John Brooke or to either of them their or to either of their certaine At- torney Exec^{rs} Admist^{rs} or assignes To which payment well & truely to be made & done the said John Quigley did binde himselfe his heyres Exec^{rs} & Adm^{rs} firmly by the same writeing Notwithstanding which the said John Quigley though often thereunto required the said Sume of twenty six thousand six hundred Eighty & eight pounds of tobacco according to the tenour forme & effect of his said writeing hath not paid, but the same hitherto to them to pay hath denyed & still doth deny, whereupon the said John & Peter say they are damnified & have losse to the Value of Thirty thousand pounds of tobacco & thereupon they bring their suite.

And the said John Quigley by Robert Ridgely his Attorney 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 writing & itt is read unto him in these words The Condicōn of this Obligacōn is such, That if the above bounden John Quigley his heyres Ex^{rs} Adm^{rs} or assignes or any of them shall & doe well & truely pay or cause to be paid unto James Stavely of Cecil County M^rchant the full & just quantity of Six thousand Nine hundred twenty two pounds of good sound & every way Well con- dicōned M^r chantable tobacco in cask upon the twentieth day of October next ensueing the day of the date hereof in some convenient

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