

Liber W. C. hundred twenty eight pounds of tobacco Therefore itt is considered that the said Michael Taney recover against the said Richard Marsham & George Lingham Exec^{rs} as aforesaid as well the Summe of tenn thousand two hundred twenty Eight pounds of tobacco damāges by the jurors aforesaid in forme aforesaid assessed As also Nine hundred Seventy two pounds of tobacco costs of Suite And the Defend^{ts} in mercy &c

John Quigley }
 ag^t } Richard Sweatnam late of S^t Maryes County
 Richd Sweatnam } otherwise called Richard Sweatnam of the City
 of S^t Maryes in the Province of Maryland Car-
 penter was Sumōned to answer unto Cap^t John
 Quigley of the City of S^t Maryes, M^rchant of a plea that he render
 unto him the just & neate quantity of five thousand pounds of good
 sound M^rchantable tobacco & cask which to him he oweth & unjustly
 detaineth

p. 16 And whereupon the said Cap^t John Quigley by Robert Ridgely
 his Attorney saith, that whereas the said Richard Sweatnam upon
 the Seventeenth day of ffebruary in the yeare of our Lord One
 thousand six hundred Seventy six, by his certaine bill or writing
 obligatory sealed with the Seale of him the said Richard & here in
 Court produced whose date is the day & yeare aforesaid did acknowl-
 edge himself to be owing & stand justly indebted unto Cap^t John
 Quigley of the City of S^t Maryes Merchant in the just & neat quan-
 tity of five thousand pounds of good sound & M^rchantable tobacco &
 caske to be paid to the abovesaid John Quigley his heyres Ex^{ts} Adm^{ts}
 or assignes att some convenient place in S^t Maryes County att or upon
 the tenth day of Octob^r next ensuing the date thereof, the abovesaid
 Richard Sweatnam did thereby binde himself his heyres Exec^{ts}
 Adm^{ts} & assignes firmly by those p^rsente, Notwithstanding which the
 said Richard Sweatnam the said Summe of five thousand pounds of
 tobacco unto the said John Quigley according to the tenour forme &
 effect of the same bill hath not paid nor satisfied though often there-
 unto required, but the same to pay hath denyed & still doth deny to
 the damage of the said John six thousand pounds of tobacco, and
 thereupon he brings his suite

And the said Richard Sweatnam by Kenelm Cheseldyn his At-
 torney cometh & defendeth the force & injury when &c and prayeth
 liberty to imparle hereunto untill next Provinciaall Court & itt is
 granted unto him, the same day is given to the plaintiffe likewise

At which said next Provinciaall Court came the said parties by their
 Attorneys aforesaid And the said Richard by his said Attorney saith,
 that he the said Richard hath paid the said Summe of ffive thousand
 pounds of tobacco according to the tenour of the said writeing
 obligatory And this he is ready to averr, & prayeth judgem^t whither
 the said John his action aforesaid ought to have And the said John