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when he and pray hearing of the writing obligatory aforesaid and he hath it likewise he pray hearing of the condition of the same writing and it is shew unto him as followeth ver.

The condition of this obligation is such that if the above bound Phillip Quinton his heirs Ex^{or} or adm^r shall well and truly pay or cause to be paid unto the above named Francis M^rer his heirs or assigns the full and just sum of thirty pounds Current Money as above in the following Comodity and prices here specified that is to say the heading from half to three quarters of an Inch thick at the heart Edge from Eight Inches and upwards broad and two foot six Inches Long and butt^d Pork in barrels at thirty Eight Shillings p^r bush and Green twelve Shill^{ings} and Sixpence p^r bush and Indian Corn at twenty pence p^r bush and the said Goods to be Delivered on the above River of Potomack that is to say the 15th heading by the fifteenth day of Septemb^r and the Remainder of the pay in the other Comodity by the fifteenth of Jan^y next Ensuing the date hereof that then this obligation to be void and of none Effect otherwise to remain and be in full force Strength and Virtue which being read and heard the said Phillip Quinton saith that the aforesaid John Stewart his C^on-Phillip the fifteenth day of Septemb^r in the year aforesaid by half an hour after the sun rise of the said Day and at the setting of the Sun of the said day at Potomack River in Somerset County and Ju^r aforesaid he was ready to pay the aforesaid Francis M^rer in his Life time the aforesaid heading Indian Corn and pork agreeable to the said Condition which he had then and there in and upon the said Day and that he ought to pay at the said place according to the forme and effect of the Condition aforesaid and that neither the aforesaid Francis or any person for him then and there were ready to receive the said heading Corn & Pork from the aforesaid Phillip according to aforesaid Condition and that the aforesaid Phillip hitherto hath always been ready and that he is yet ready to pay the aforesaid John Stewart the aforesaid heading Corn and pork agreeable to the said Condition and that he is ready to satisfy whereof he pray Judgment if the aforesaid John his C^on aforesaid there of against him to have and maintain he ought &c.

And the aforesaid John Stewart says that by any thing by the said Phillip Quinton in that part from leaving his action aforesaid against him to be barred ought not because they say that the aforesaid Phillip on the fifteenth day of September in the year afo^r at Potomack River aforesaid within the Jur^{isdiction} of this Court was not ready to pay unto the said Francis M^rer in his Life time the aforesaid thirty pounds Current Money of Maryland in the Comodities and at the price in the said Condition Mentioned that is to say the heading from half to three quarters of an Inch at the heart Edge from Eight Inches and upwards broad and two foot six Inches Long and butt^d Pork in barrels at thirty Eight Shill^{ings} p^r bush and Green twelve Shill^{ings} and Sixpence p^r bush and Indian Corn at twenty pence p^r bush and the Remainder of the payment is to be made in the other Comodities by the fifteenth day of Jan^y in the year aforesaid according to the forme and Effect of the condition aforesaid as the aforesaid Phillip ought to have done and this he is ready to satisfy where upon the pray Judgment of their Debt aforesaid together with his Damages by occasion of the Detaining of the said Debt to him to be adjudged &c.

And the aforesaid Phillip Quinton as before says that he the same Phillip on Potomack River on the aforesaid fifteenth day of September at half and hour after Sun Rise of the same day and at the