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pounds of tobacco which to him he oweth and unjustly deteineth.

And whereupon the said John Quigley by Kenelm Cheseldyn his Attorney Saith that whereas the said George Brewer the 29th day of June in the yeare 1671 by his certaine writeing Obligatory Sealed with the seale of the Said George here in Court produced whose date is the day and yeare abovewritten did acknowledge himselfe holden and firmly bounden unto John Quigley of Virginia merchant the full quantity of foure thousand foure hundred pounds of good Sound merchantable tobacco in caske to be paid unto the said John or to his certaine Attorney his executors administrators or assignes To the which payment well and truly to be made he did bind himselfe his heirs executors and administrators firmly by those presents Notwithstanding which the said George Brewer the Said sume of foure thousand foure hundred pounds of tobacco according to the tenor of his aforesaid writeing Obligatory hath not paid though often thereunto required but the same to pay hitherto hath and still doth deny to the damage of the said John Quigley Six thousand pounds of tobacco And thereupon he brings his Suite.

And the said George Brewer in his proper person in the Custody of the said Sheriff cometh and defendeth the force and injury when &c and prayeth heareing of the writeing aforesaid and it is read unto him he prayeth also heareing of the condition of the said writeing and it is read unto him in these words Vizt The Condition of this Obligation is Such that if the abovebound George Brewer Or Richard Broome their or either of their heirs executors or assignes or either of them doe pay or cause to be paid to the said John Quigley his heirs executors administrators or assignes the full quantity of two thousand two hundred pounds of good sound merchantable tobacco in caske in manner & forme following that is to say twelve hundred pounds part of the said two & twenty hundred pounds of tobacco on or upon the tenth day of October next ensueing the date thereof at or upon the plantation now in the Occupation of them the said George and Richard called Newtowne Mill scituate in the County aforesd and One thousand pounds of tobacco more the remainder of the said two and twenty hundred pounds of tobacco On or upon the tenth day of October which will be in the yeare One thousand Six hundred Seventy two at New-Towne Mill aforesaid That then this Obligation to be void or else to stand in force, which being read and heard the said George Saith nothing in barre of the action aforesaid of him the said John Quigley but that he oweth unto the said John the said sume of two thousand two hundred pounds of tobacco Therefore it is considered off by the Court here that the said John Quigley recover against the said George Brewer the said summe of two thousand two hundred pounds of tobacco the debt aforesaid as also the summe of _____ pounds of

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