

Liber M M Order or authority from the said Richard and Thomas or either of them to receive the same the said sume of six thousand two hundred twenty five pounds of tobacco in part of the said bill of nine thousand One hundred ninty foure pounds of tobacco nor was the said John Manning ever Attorney or receiver of the said Richard and Thomas or either of them as the said Henry hath above alleadged and as to the two thousand nine hundred sixty nine pounds of tobacco they say the said Henry did not tender the same as by the said Henry is above alleadged and this they are ready to averr whereupon they demand judgment and their debt aforesaid together with their damages to be adjudged unto them

And the aforesaid Henry as formerly saith that he paid the aforesaid John Manning as the Attorney or receiver of the said Richard Covell and Thomas Groves the aforesaid summe of six thousand two hundred twenty five pounds of tobacco as part of the said bill of nine thousand One hundred ninty foure pounds of tobacco and as to the two thousand nine hundred sixty nine which was behind of the aforesaid bill of nine thousand One hundred ninty foure pounds of tobacco he ever was and is still ready to pay and of this he putts himself upon the Country and the plaintiffs likewise. therefore it is Comanded the Sheriff of St Maries County that he cause to come here twelve &c by whom &c who neither &c because aswell &c to recognize &c

At which day to witt the fiftenth day of May in the 42th yeare of the Dominion of Caecilius &c Came aswell the said Richard Covell and Thomas Groves by Robert Carvile their Attorney and the said Henry Mitchell by Vincent Lowe his Attorney and the jurors of that jury likewise come to witt William Claw George Charlsworth Joseph Hackney John Smalpeece Thomas Baile Richard Whitty Henry Rider Richard Ridgall John Rawlings Abraham Rhodes William Baker and John Cheyney who to say the truth in the premisses being
 p. 214 impannelled Sumoned and sworne Upon their Oathes doe say they find for the def^t no cause of Action But because his Lopps justices will advise before they give judgment heareing this cause putt in respite untill the morrow and the Same day is given to both parties

Att which day to witt the sixtenth day of May in the yeare aforesaid Came aswell the said Richard Covell and Thomas Groves by Robert Carvile their Attorney and the said Henry Mitchell in his proper person likewise came and the said Richard and Thomas prayed inspection of the receipt of John Maning for the said Summe of Six thousand two hundred twenty five pounds of tobacco which was by the said Henry produced whose date was the twentieth day of April One thousand six hundred and seventy and the Court inquireing of Benjamin Cloyster and Timothy Murimura wittnesses thereunto when the said receipt was made who upon their Oathes doe declare that the receipt was made On tuesday last being the twelfth day of this instant month of May by which it appears to