

Liber W. C. upon the other from one W^m King the Summe of twelve hundred pounds of tobacco the said John Parker did agree that the said Summes should likewise goe in further satisfaction of the said debt of ffourteen thousand twenty nine pounds of tobacco which said Summes amount together to thirteen thousand twenty eight pounds of tobacco And for the residue of the said Summe of ffourteen thousand twenty nine pounds of tobacco being the summe of one thousand & one pounds of tobacco the said John Richardson saith that he alwayes was & still is ready to pay the same All which he is ready to averr, & therefore prayes judgm^t if the said W^m Dare his action aforesaid against him ought to haue.

And the said p^t saith, that he by any thing before alleaded ought not to be debarred from haveing his action aforesaid, because he saith, that the said Defend^t the said Summe of ffourteene thousand twenty nine pounds of tobacco to the said Parker in his life tyme, nor to the said p^t since his decease (to whom Adm^{con} of all & singuler the Goods Chattles & Creditts which were of the said Parker since his death hath bin comitted) hath not paid according to the tenour of the said bill obligatory And this he is ready to averr, whereupon he demands judgm^t & the said debt aforesaid together with damages for detaining the said debt to be adjudged unto him

p. 89 And the said Defend^t saith, that he hath paid the said severall Summes of tobacco mencōned in his said plea, amounting to thirteen thousand twenty eight pounds of tobacco in part of the said bill of ffourteen thousand twenty nine pounds of tobacco in manner & forme as the same is affirmed in his said plea, And as to the remainder of the said ffourteene thousand twenty nine pounds of tobacco viz^t the Summe of One thousand & one pounds of tobacco, the Defend^t saith as form^{ly} that he alwayes wayes & still is ready to pay the same And of this he putts himselfe upon the Countrey And the plaintiffe likewise Therefore itt is comāded the Sheriffe of S^t Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c

Att which said nineteenth day of ffebruary in the yeare aforesaid came the said parties by their Attorneys aforesaid, & the jurors impannelled being called likewise came to witt Thomas Cosden, Joseph Tilley, Marmaduke Semme, Samuell Holdsworth, John King, W^m Husbands, Tho: Sedgwick, Robert Mason, Tho: Jones, Tho: Alcock, John Bouchier & Herman Norton who being elected tryed & sworne to say the truth in the p^rmisses upon their Oaths doe say, that they finde for the Defend^t Therefore itt is considered that the said W^m Dare take nothing by his writt aforesaid, but be in mercy for his false plaint thereon And the said John Richardson may go from thence without day &