

Mitchell promised your petition^r payment but unmindfull of his Liber B.
 promise and regardless of his ingagem^t he hath Still Neglected
 and refused paym^t which makes your Petitioner to move the
 Court for releif and Justice and he Shall ever pray &c.

William Smith pte Cap ^t Wm Mitchell def ^t and Cap ^t Mitchell pl ^t Willm Smith def ^t	}	These two Causes Comeing this day to be heard William Smith in the Cause wherein he was Compl ^t Sueing to be re- leived touching Certaine Goods and other things referred to a further Tryall by an order of Court of the 23 th of Aprill last And Cap ^t Mitchell defendant in that Suit denying he had any of the Said Smithes Goods and Craveing to be releived against that order and prosecution thereupon as illegall. And the Said Cap ^t Mitchell in the Cause wherein he was pte in an Action of the Cause Claiming the Said Smith as his Servant, and Sueing for divers Goods detained from him by the Said Smith and other Damages to a Great Value Ex- pressed in the Said Cap ^t Mitchells Declaration thereof, To which Claime of Service Smith denying any Service to be due and pleading the Said Order of of the 23 th of Aprill last, and P. 43^o denying also to have any Goods of the Said Mitchells. And proofes being tendred on both Sides in both Causes, The Court taking the Busieness into Serious consideration, and not thinking fitt to Meddle with the reversing of the Order of the 23 th of Aprill as being more proper for an Assembly if there be Cause; And the Matter of these Suites having long de- pended, and Many Depositions taken therein on both Sides contradicting one the other as is conceived, It is therefore thought fitt and accordingly ordered that all differences de- pending in this Court betwixt the Said parties be referred to the determinacōn of the next Generall Assembly to be held for this Province And that all Such Tobaccos or other Goods taken in Execution upon the Said Order of the 23 th of April last or the price payable for them Shall rest in the hands of those persons where now they remaine till it Shall be determined by the Said Assembly (upon the hearing of the Cause) how the Same Shall be disposed of.
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Cap^t William Mitchell pte Willm Smith defend^t Cap^t Wil-
 liam Mitchell of S^t Thomas in the Hundred of S^t Maries in the
 County of S^t Maries in the Province of Maryland demandeth
 of Willm Smith of the S^d County and Province in an Action of
 the Case for that he the Said Willm Smith being Servant to
 the Said William Mitchell hath for Many Months last past ab-
 sented himself from his Service and Still doth absent himself,
 although the Said William hath in open Court demanded his
 return by meanes whereof your Petitioner hath been damni-