Corwin v. Smoot

Know all men by these pents the I Teague Corwaine Maryner, be-P.C.R. longing to the Goulden ffortune, now ryding in St George's River, Mitchell & doe constitute & ordaine my louing ffreind Robt Cole of St Clemts Bay in the Prouince of Maryland, my true & lawfull Attorney for me & in my name to sue implead or arrest any peson or pesons whatsoeur, to me indebted wth in this Prouince of Maryland by himselfe, or any other, whom the s^d Rob^t Cole shall constitute in his stead, as my Attorney. And what my sd Attorney shall by himselfe doe, or allso, what any other peson by my aforesd Atturney constituted shall act in the premises, I the aboue mentioned Teague Corwayn doe hereby ratify & confirme the same as if it had bene done by my selfe in pesonall presence.

> Wittnes my hand this 29th of January 1659 Testes Richard Willan Jonas Watters.

T. C.

To the honbie the Gouernor & Councell &c:

р. 361 The humble Petⁿ of Rob^t Cole, Attorney of Teague Corwin Sheweth, That whereas Thomas Mitchell & Will^m Smoote stand indebted unto Teage Corwin in the sume of nineteene hundd pownds of Tob & Cask, yor Petr in the behalfe of the aforesd Teage Corwin hath demanded paym^t of the afores^d Mitchell, but received not any, W^{ch} is much to the dammage of the afores^d Teage, by reason of his goeing forth of this Country, & want of the afores^d Tob. premises Considered yor Petr desyreth tht the aforesd Mitchell & Smoote may be compelled to make pent paymt wth forbearance, & Costs of suite, & yor Petr shall eur pray &c:

Vppon the demand & Petⁿ of the pff, for 1900^t Tob. & Cask, The deft Thomas Mitchell (to whom the Debt principally belongeth) in answere sayth, That hee hath allready ouer payd that Debt, as hee can make appeare by Receipts under the plfs owne hand, & other testimonies, & by his owne accompt, And thereuppon produceth One Receipt dat, 29th Decemb^r (in part of paym^t of a Bill of 1900^t Tob) Ano 1658 for nine hund. & Twenty pownds of Tob & cask Allso one other Receipt dat 1° June 1658, for Two hundd & Twenty pownds Tob, received of Arthure Turner for the defts use. Both wch Receipts are signed wth the plfs marke. And Capt Nicholas Gwyther euidenceth in Court That hee payd one hogshead of Tob. weighing 336 to Thomas Mitchell, & the sd Mitchell payd the same to the plf Teage Corwin, And the defts acct comes to 450t Tob. It being, for his dyett washing & lodging, for three weeks att the defts howse hee being then lycenced to keepe an Ordinary, Soe tht the deft hath ouer payd tht Bill by Twenty six pownds of Tob. The defts Craue a nonsuite wth Charges & Costs of suite. Wch was graunted & soe Ordered by the Board.

John Walton v. Mr Ed: Prescott & e Contra

Putt to Arbitraön.