

Liber D John Andrews p^lt having had time allowed him by the Court till this morning for the getting his declaracon Drawne against Jn^o Muns came & appeared & preferred his declaracon to the Court which was read to the Effect as foll :

John Munne dēft came likewise & appeared to defend the Suite Comenced against him by the Said John Andrews as aforesaid then the p^lts declaracon was read as foll :

To the Worshipfull the Com^{rs} of Charles County

John Andrews Complaineth against John Munne for that whereas, the Said John Andrews Covenanted & agreed with the Said John Munne to Serve him from the first day of march last past 1668 to the last day of october 1669 in Consideracon whereof the Said John Munnes was to pay & did assume on himself to pay to the Said John Andrews Eleaven hundred pounds of tobaccoe and one Sow with piggs, Notwithstanding the Said John Andrews hath Served the Said John Munnes according to agreement, yett the Said John munne hath not payd the Said Andrewes according to his promise & Assumption in that behalfe made but doth altogether refuse to pay the Same to the great damage of him the Said Andrewes whereupon he Saith he is damnified & hath loss to the vallew of 1500th of Tobaccoe & thereupon he Bringeth his Complaint.

[p. 123] To which the defend^t replied that he had severall times offered the p^lt to pay him what tobaccoe was due to him for the prooffe whereof he desired the Court would Admit of his Evidence whereupon his Evidences being by th^e Sheriff before Sup^a were called & Sworne as foll.

Mathew Sands Sworne & Examined in open Court Saith that the Deft : offered the p^lt : tobaccoe att william Nevills which he would not accept, & further Saith not

Peter Dawson Sworne & Examined in open Court Saith that he being p^{nt} att the Defend^{ts} house the p^lt Came & asked the tobaccoe due to him of the defendant & the Dēft answered he was ready to waite on him & further Saith not

William neville Sworne & Examined in open Court Saith that the Dēft had at that time tobaccoe at his house one h^{hd} which he afterward layd out at the Store & further Saith not.

But the Court not Judging these Evidences of validity to prove that the tobaccoe was payd gave judgement against the def^t for the Said Sume of Eleaven hundred pounds of tobaccoe & a sow with piggs according to what was covenanted between them together with Costs of Suite whereupon the p^lt preferred this Ensueing bill of Costs which was by the Court allowed of.

To three days attendance for himselfe. 90	}	150 th Tobaccoe.
To Attorneys Fees 60		