

Liber M M have of the sd Luke the sd One hundred & Twenty pounds sterling & six hundred and fifty pounds of Tobacco notwithstanding w<sup>ch</sup> the sd Luke though often Requested the sd sume of 120<sup>l</sup> sterl & 650<sup>l</sup> of Tobacco hath not payd to the sd John Litchington but the same to him to pay hath altogether refused and still doth Refuse whereupon he saith he is Damnified and hath losse to y<sup>e</sup> vallue of One hundred and fifty pounds sterling & thereupon he bringeth his suite.

And the sd Luke Gardner by Robert Carvile his Attorney Cometh & Defendeth the force & injury when &c and sayth that he the sd Luke doth not owe to him the sd John the sd sume of One hundred and Twenty pounds sterling & six hundred and fifty pounds of Tobacco or any penny or pt thereof in manner & forme as the sd John hath above Declared ag<sup>t</sup> him, and of this he puts himself upon the Country and the sd John Litchington likewise

p. 149 Therefore Comaund is given to the Coroner of St Maryes County that he cause to Come before the Justices of the next Provincial Court, to be held at the City of St Maryes the Tenth day of ffebruary next being the first day of the said Court twelve &c by whom &c who neither &c because aswell &c to Recognize &c and the same day is given to both ptyes.

At w<sup>ch</sup> day that is to say the Tenth day of ffebruary in the 42<sup>th</sup> yeare of the Dominion of Caecilius &c Annoꝝ Domini 1673 Came aswell the said John Litchington by Kenelm Chiseldyne his Attorney as the said Luke Gardner by Robert Carvile his Attorney and the Juro<sup>rs</sup> of that Jury likewise Came to wit William Stevens William Boarman Robert Henley William Groome James Bowling Daniel Clocker Henry Bonner Walter Hall Thomas Momford John Brooke Leonard Green and John Shankes who to say the truth in the p<sup>m</sup>ises being Elected tryed and sworne upon their oathes doe say that they finde for the Defend<sup>t</sup> with Costs of suite, wherefore it is Considered by the Court here that the sd Luke Gardner recover ag<sup>t</sup> the sd John Litchington the sume of \_\_\_\_\_ pounds of Tobacco for his Costs and Charges in this behalfe Expended and the said John Litchington in mercy &c.

John Litchington ag <sup>t</sup> Luke Gardner	}	Luke Gardner gentl Sheriff of the County of St Maryes was sumoned to answeare unto John Litchington in a plea that he Rend <sup>r</sup> unto him the sume of Twenty Thowsand six hundred and fifty pounds of Tobacco w <sup>ch</sup> to him he oweth and unjustly Deteineth &c.
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And whereupon the said John Litchington by Kenelm Chiseldyne his Attorney saith that whereas the sd John Litchington formerly that is to say at a Provincial Co<sup>rt</sup> held on the Eleaventh day of ffebruary in the 41<sup>th</sup> yeare of the Right hono<sup>ble</sup> Caecilius absolute Lord and Proprietary of this Province before the Justices of the said