

Liber M M tobacco he did engage himselfe his executors and adm^{rs} to deliver to the aforesaid Timothy Lindall or his Order and to render a reasonable accompt thereof when he Should be thereunto required Yet neverthelesse the Said Philip though often thereunto required hath not rendred his reasonable accompt aforesaid to the Said Timothy but hitherto hath denyed and as yet doth deny to render the Same unto him whereupon he Saith he is dampnified and hath losse to the value of 6000 \uparrow tobacco and thereupon he bringeth his Suite

And the Said Philip by Kenelm Cheseldyn his Attorney Cometh and defend[eth] the force and injury when &c and prayes liberty of Speakeing hereunto untill the next Provinciaall Court and it is granted him.

Att which said court to witt the 12th day of May in the 42th yeare of his Lo \ddot{p} ps Dominion &c came the Said Timothy and Philip by their Attorneys and the Said Philip prayed further delay hereof untill the next Provinciaall Court and it is granted him

Att which said Court to witt the 12th day of May in the 42th yeare of his Lo \ddot{p} ps Dominion &c Came the Said Timothy and the said Philip by their Attorneys and the Court then Ordered that the deft accompt with the plaintiff and that Garrett Vansweringen and Robert Ridgely doe audite the accompts and make report thereof to the Court here at the next Provinciaall Court

p. 239 Now here at this day to witt the 13th day of October in the 43th yeare of his Lopps Dominion &c the Said Auditors doe report that they have audited the Said accompts in presence of the Attorneys of both Sides and doe report as tolloweth vizt that the defend^r Shapleigh Ought to deliver unto the plaintiff bills for three thousand Six hundred and forty pounds of tobacco uncanceled which he received of the plaintiff the 22th ffebruary 1670 or if he cannot deliver the Said bills then that the Said Shapleigh ought to pay the tobacco abovementioned to the Said Lindall according to a noate under the Said Shapleighs hand dated the 22th ffebruary 1670 and to them produced and by them Signed.

Therefore it is Considered by the Court here that the Said Timothy Lindall recover against the Said Philip Shapleigh aswell the Said Summe of three thousand Six hundred and forty pounds of tobacco the debt aforesaid as also the Summe of foure hundred thirty One pounds of tobacco for his costs and charges in this behalfe expended, and that upon payment of the Said tobacco the Said Philip may be empowered to recover the abovespecified bills.

Henry Aspinall	}	these two causes agreed.
ag ^t		
Stephen Murty		
John Browne		
ag ^t	}	
W ^m King		