

Liber M M Maltby the said some of 120<sup>l</sup> sterl to him the said John Litchington when thereunto required would well truly content & pay, And the said John Litchington in fact saith that he the said John Litchington did shew the 27th of January 1671 the said bill of Exchange of 120<sup>l</sup> sterl unto the said John Nethway and Required him the said John Nethway to pay the said sume of One hundred and Twenty pounds ster<sup>t</sup> according to the Teno<sup>r</sup> of y<sup>e</sup> said bill of Exchange, w<sup>ch</sup> said bill of Exchange y<sup>e</sup> said John Nethway wholly refused and denyed to accept and pay, whereby action hath accrued to the sd John Litchington to require & have of the said John Maltby the said 120<sup>l</sup> sterl.,  
 p. 7 Nothw<sup>th</sup>standing w<sup>ch</sup> the said John Maltby the said pmise and assumption as aforesayd made little Reguarding but devising and fraudulently intending him the said Litchington, the said One hundred & Twenty pounds sterl to Defraud & Deceive, the said 120<sup>l</sup> sterl though often required to him the said John Litchington according to his promise hath not payd but the same altogether denyes.

And the said John Maltby by Vincent Lowe his Attorney cometh and Defendeth the said wrong and Injury when &c, and saith that he did not assume and promise in manner and forme as the said John Litchington hath above Declared ag<sup>t</sup> him and of this he putts himself upon the Country and the said John Litchington likewise.

Therefore Comand is given to the Sheriff of St Maryes County, that he Cause to come before the Justices of the next Provincial Co<sup>rt</sup>, to be held at the City of St Maryes the Eleaventh day of ffebruary next being the first day of the said Co<sup>rt</sup> 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 Eleaventh day of ffebruary in the 41th yeare of the Dominion of Caecilius &c Annoq̄ Domini 1672 came aswell the said John Litchington by Kenelm Chiseldine his Attorney as the said John Maltby by Vincent Lowe his Attorney & the Juro<sup>rs</sup> of that Jury likewise came to wit Thomas Paine Richard Lloyd Randall Hanson Marmaduke Symm Henry Hide George Beckwith Richard Ladd Robert Tyler George Johnson William Thompson Job Walton and Joshua Doyne. who to say the truth in the p<sup>r</sup>mises being Elected tryed and sworne upon their oathes doe say that they finde for the p<sup>t</sup> One hundred and Twenty pounds sterling Damages with Costs of suite, wherefore it is considered by the Co<sup>rt</sup> here that the said John Litchington recover ag<sup>t</sup> the said John Maltby aswell the said sume of One hundred and Twenty pounds sterling for his Damages in this behalfe susteined as also the sume of six hundred and fifty pounds of Tobacco for his Costs and Charges in this behalf Expended and the said John Maltby in mercy &c. And afterwards to wit the same day before the said Justices the said Defend<sup>t</sup> John Maltby being convict by the Judgem<sup>t</sup> of the Co<sup>rt</sup> here to pay to the said John Litchington aswell the said