

Liber N N Servants as also severall sumes of tobacco of the proper Goods & tobacco of the said Richard amounting in the whole to the sume of thirty nine thousand foure hundred fifty & five pounds tobacco as by a particuler thereof likewise hereunto annexed may appeare, to make an accompt thereof to him the said Richard when he should be thereunto required Yett notwithstanding the said Thomas although he hath been often thereunto required a reasonable accompt of the tyme Goods & tobacco aforesaid to the said Richard hath not as yett given, but the same to give & render hath hitherto & still doth deny to the damage of the said Richard two hundred thousand pounds of tobacco, & thereupon he bringeth his suite

And the said Thomas Truman by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty of speakeing hereunto untill next Provinciaall Court, the same day is given to both parties.

Afterwards to witt the fifth day of Octob<sup>r</sup> in the third yeare of his Lordps Dominion &c Itt is the Judgem<sup>t</sup> of the Court here that the defendant accompt And that M<sup>r</sup> John Darnall & M<sup>r</sup> Thomas Tasker be armed with a Comission to examine Wittnesses upon Oath, & to state & audite the accompts between the said parties, & report thereof to make here next Provinciaall Court

p. 413 Att which said next Provinciaall Court to witt the twelfth day of february in the yeare aforesaid, the said John Darnall & Thomas Tasker doe make report as followeth Viz<sup>t</sup> To the Hon<sup>ble</sup> Thomas Notley Esq<sup>r</sup> chiefe Justice Of the Provinciaall Court & the rest of the Hon<sup>bl</sup> Councill. By vertue of a Comission issued out of the said Court & to us directed bearing date the sixth day of Decemb<sup>r</sup> last past, whereby we were impowered & authorized to be Auditors to examine & state accompts between Cap<sup>t</sup> Richard Pery plaintiffe & Thomas Truman Esq<sup>r</sup> defend<sup>t</sup> which the said Tho: Truman to the said Richard ought to render And that we should meet att such tyme & place as we should think fitt And that the said parties should there attend us untill the accompts was fully stated And we were also fully impowered to Administer Oaths to wittnesses that should be produced before us, as well on the part of the plaintiffe as of the Defend<sup>t</sup> And the accompts when audited & stated between the said parties That we should make report thereof to yo<sup>r</sup> Hono<sup>rs</sup> by the twelfth day of february then next following. In obedience thereunto we doe humbly report & Certifie to yo<sup>r</sup> Hono<sup>r</sup> that we the said Auditors did appoint to meet att the house of M<sup>r</sup> Richard Keen in Petuxent River And the twenty fourth of this instant January to audite & state the accompts aforesaid And that we did meet att the tyme & place aforesaid in order thereunto And in the presence of M<sup>r</sup> Christopher Rousby & M<sup>r</sup> Robert Carvile Attorneys for the plaintiffe who then attended, & no Attorney appearing for the Defend<sup>t</sup> although by the Oaths of M<sup>r</sup> Christopher Rousby & M<sup>r</sup> Thomas Gant hereunto annexed, & the