

denye and refuse to pay the same To the damage of the said George Liber W. C.
 Three thousand pounds of tobacco And thereupon he bringeth
 his Suite

And the said Cleobourne Lomax by Thomas Burford his Attorney cometh and defendeth the force and injury when &c. and prayeth liberty to imparle hereunto untill the next Provinciaall Court and it is granted unto him And the same Day is given to the plt also :

Now here at this day (to wit) the Second day of July in the Eighth year of the Dominion of the Right hono^{ble} Charles Lord Baltimore &c Anno^q Doni 1683 Came the said partyes by their Attorneys aforesaid, And the said Cleoborne Lomax by his said Attorney Sayth that the said George his ac^{on} ag^t him Ought not to have because he sayth that after the makeing the bill aforesaid in y^e Declara^{on} aforesaid specified and before the bringing of the accon of the said George ag^t the said Cleoborne hee the said Cleoborne did pay to the said George the said seaventeene hundred pounds of tobacco that is to say at Charles County afores^d as by a perticular account thereof hereunto annexed may appeare and this he is ready to averr And thereupon he prayeth Judgment if the said George his action against him Ought to have &c.

And the said George by his said Attorney sayth that he for any thing by the sd Cleoborne in manner aforesaid pleaded Ought not to be barred from haveing his sd accon ag^t the sd Cleoborne ffor that he sayth that the said Cleoborne did not pay to him the said George the said sume of seaventeene hundred pounds of tobacco att Charles County aforesaid according to the teno^r of the sd bill, And this he prayes may be enquired by the Country, And the defend^t likewise.

Itt is therefore comanded the sheriffe of st Maries County that he Cause to come here Twelve &c. by whome &c. And who neither &c To recognize &c. because aswell &c.

On wch said second day of July in the yeare aforesaid came the sd partyes by their Attorneys aforesaid and the Jurors Impannelled being called likewise came (to wit) Justinian Gerrard James Ringold Marke Cordea Samuel Hatton, Thomas Sikes Humphrey Jones, Edward Ward Richard Edelen, James Bowling, John Smith, William Roswell and Thomas Simpson Who being elected tryed and Sworne to Say the truth in the p^rmisses Upon their Oathes doe Say, that the said Cleoborne Lomax before the bringing the ac^{on} aforesaid did pay unto the said George Powell the seaventeene hundred pounds of tobacco in y^e declaracon afores^d mentioned, Itt is therefore considered by the Court here that the sd George Powell take nothing by his writ aforesaid but be in mercy for his false Clayme therein And that the said Cleoborne Lomax goe thereof p. 729
 without day, and that the said Cleoborne Lomax recover against the said George Powell the Sume of One thousand three hundred