

allowed as aforesaid six dayes more, that is to say from the Sixteenth to the twenty second of the same August, which said three Voyages or turnes so by the said Thomas & his Sloop & men made for the said James as aforesaid amounts to as by Agreem^t three thousand nine hundred pounds of tobacco And which said dayes of Demurrage made by the said Sloop & men by default of the said James by not haveing her loading ready in foure dayes after her arrivall & notice to him given as aforesaid according to Agreem^t as aforesaid amounting to thirty dayes demurrage in the whole the said Thomas saith he for the same doth reasonably deserve to haue the sume of One hundred pounds of tobacco p day which amounteth to the sume of three thousand p^{ts} of tobacco, which with the said three thousand nine hundred pounds of tobacco due for the three turnes as aforesaid amounteth to in the whole the sume of six thousand nine hundred pounds of tobacco Yet the said James Mills his promise & assumpcōn so as aforesaid made not regarding, but deviseing & fraudulently intending him the said Thomas Jones of the said Six thousand nine hundred pounds of tobacco to him so due as aforesaid to deceive & defraud, the said Six thousand nine hundred pounds of tobacco to him the said Thomas although often thereunto required hath not paid or satisfied, but the same to pay or satisfie hath denyed & as yet doth deny to the damage of the said Thomas tenn thousand pounds of tobacco & thereupon he bringeth his suite

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And the said James Mills by Kenelm Cheseldyn his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Sixteenth day of Octob^r in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq^{ue} Doni 1678 cometh as well the said plaintiffe as the said Defend^t by their Attorneys aforesaid And the said James by his said Attorney saith, that he did not assume upon himselfe in manner & forme as the said Thomas Jones hath above declared against him And of this he prayes the judgem^t of the Court And the plaintiffe also And hereupon the declaracōn & plea aforesaid being read & by the Justices here fully understood Itt is considered that the said Thomas Jones recover against the said James Mills as well the sume of three thousand One hundred ninety Eight pounds of tobacco damages occasioned by the p^rmisses As also Six hundred sixty six pounds of tobacco costs of suite And the Defend^t in mercy &c

John Darnall }
ag^t } This action is continued untill next Court
W^m Harris }