

Liber W. C. bacco Deducting thereout foure p Cent for sallary of him the said Thomas Jones and Tenn p Cent for Sallary for what the said Brooke should Receive, And the said John England sayth that the said account and the ord<sup>r</sup> thereupon from the said Thomas Jones to the said Brookes to pay to the said John England the said Two third parts of the said Twenty nine thousand One hundred & foure pounds of Tobacco as aforesaid was the full & finall End of all differences & accounts betweene the said John England and the said Thomas Jones from the begining of the world to that day, And the said Thomas Jones being upon the aforesaid account soe indebted to the said John England the said sume of Nineteene thousand foure hundred and two pounds and Two thirds of a pound of Tobacco, Did assume upon himself and to the said plt did then and there ffaithfully pmise That hee the said Thomas Jones the said sume of Nineteene Thousand foure hundred and Two pounds and Two thirds of a pound of Tobacco unto the said John England when thereunto Required would well and truely Content and Satisfie, and that the said Thomas would not Contradict or Countermand the aforesaid Ord<sup>r</sup> given by him the said Thomas to y<sup>e</sup> said John England for the said John Brookes his Attorney to pay to the s<sup>d</sup> John England the said Two third parts of the said Twenty nine thousand one hundred and ffoure pounds of Tobacco as aforesaid, Yet the aforesaid Thomas Jones his pmise and assumption Soe as aforesaid made not Regarding but deviseing & fraudulently intending him the said John England of the said Sume of Nineteene thousand ffoure hundred and Two pounds and Two thirds of a pound of Tobacco to deceive & defraud, The said sume of Nineteene thousand foure hundred and Two pounds & and Two thirds of a pound of Tobacco though often thereunto required hath not Contented Satisfyed and payd to the said John England, but the same to pay Altogether refuseth, and the order Soe as aforesaid made for the said John Brookes to pay the said Two third parts of the said Twenty nine thousand one hundred and foure pounds of Tobacco to the said John England as aforesaid hath Contradicted, and the same out of the hands of the same John Brookes to whome it was delivered by the assignes of the said John England did take, and the same did Countermand, and all the Tobacco in the hands of the said John Brookes for & Concerning the Account in ptnership aforesaid hee the said deft did Receive and the Same to his owne use did Convert Contrary to his pmise aforesaid To the damage of the said John England Thirty thousand pounds of Tobacco, And thereupon hee bringeth his suite

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And the said Thomas Jones by Robert Carville his Attorney Cometh and defendeth the force and injury when &c and Prayeth Liberty to imparle hereunto untill next Provinciaall Court and Itt is granted unto him the same day is given to the plantiffe also