

Liber M M Isaac ffoxcroft } Thomas Collen late of Plymouth Marriner was at-
 ag^t } tached to answer; Isaac ffoxcroft of a plea of tres-
 Thomas Collen } pas upon the case And whereupon the Said Isaac
 by Robert Ridgely his Attorney complaineth that
 whereas the Said Isaac the twentieth day of Janu-
 ary One thousand six hundred Seventy three Stood indebted to the
 Said Thomas the full Summe of Six thousand foure hundred Seventy
 & five pounds of tobacco and in consideration that the Said Isaac
 ffoxcroft at the Speciall instance & request of him the Said Thomas
 Collen would deliver unto him the Said Thomas Severall bills &
 noates for tobacco due to him the Said Isaac a particular whereof
 is here in Court produced amounting in the whole to the summe of
 Sixteene thousand One hundred fifty Seaven pounds of tobacco with
 orders to the Severall persons debtors to the said Isaac upon the
 p. 620 bills & notes aforesaid to pay the Same unto the Said Thomas Collen
 the said Thomas Collen did assume upon himselfe & to the said
 Isaac did then & there faithfully promise that he the said Thomas
 what tobacco upon the Same that he should receive more then
 amounted to the Said Summe of Six thousand foure hundred Sev-
 enty five pounds of tobacco due to him from the Said Isaac as afore-
 said he the Said Thomas the Overplus thereof would well and truly
 to the said Isaac Satisfie and pay And the Said Isaac in fact Saith
 that he trusting to the faithfull promise of the Said Thomas did
 deliver unto him the Said Thomas the Severall bills & notes for
 tobacco aforesaid amounting to the Summe of Sixteen thousand
 One hundred fifty Seaven pounds of tobacco together with orders
 to the Severall persons debtors to the Said Isaac upon the said
 bills & noates to pay the Same unto the said Thomas And the said
 Isaac in fact further Saith that the Said Thomas Collen upon the
 Said bills & noates over & above the Said Six thousand foure hun-
 dred Seventy five pounds of tobacco which the Said Isaac to the
 Said Thomas Stood indebted as aforesaid did receive of the Severall
 persons therein named the Summe of Six thousand five hundred
 eight pounds of tobacco Notwithstanding which the said Thomas
 Coll[en] his promise & assumption So as aforesaid made not re-
 garding but endeavoring and fraudulently intending him the Said
 Isaac of the Said Summe of Six thousand five hundred & eight
 pounds of tobacco So paid over & above as aforesaid craftily &
 Subtilly to defraud and deceive the Said Six thousand five hundred
 & eight pounds of tobacco to him the said Isaac according to his
 promise & assumption aforesaid hath not paid or hitherto given any
 content for the Same but the same to pay or Satisfie hath denied
 & as yet doth deny to the damage of the said Isaac ten thousand
 pounds of tobacco And thereupon he bringeth his suite.

And the said Thomas Collen by Robert Carvile his Attorney com-
 eth and defendeth the force and injury when &c and prayeth liberty