

And whereupon the said Richard by Christopher Rousby his Attorney complaineth, that whereas the said W^m the sixth day of January One thousand six hundred Seventy one in consideracon that he the said Richard att the speciall instance & request of him the said W^m would deliver or cause to be delivered unto him the said W^m certaine bills Specialties & Accompts whereupon was due from sundry persons unto him the said Richard severall Sumes of tobacco amounting in all to Eighteen thousand Six hundred twenty eight pounds of tobacco a particuler whereof is here in Court produced And would entrust & imploy him the said W^m to collect the same tobacco for the use of him the said Richard And would allow him the said W^m usuall Sallery to Witt tenn in the hundred for what tobacco he should receive thereof as aforesaid, He the said W^m did assume upon himselfe & to the said Richard did faithfully promise that he the said, W^m doe his endeavours to receive the said Eighteen thousand Six hundred twenty eight pounds of tobacco for the use of him the said Richard And that he would render unto the said Richard Bankes the said Sume of Eighteen thousand Six hundred twenty eight pounds of tobacco in case he should receive the same, or so much thereof as he should happen to have received And for what he should not have collected that he would returne the said Bills Specialties & Accompts thereof in kinde when he should be thereunto by the said Richard required And the said Richard in fact saith that he trusting to the faithfull promise & assumpcōn aforesaid of him the said W^m the said sixth day of January one thousand six hundred Seventy one did by the hands of John Brooke late of Battle Creek deceased cause to be delivered unto him the said W^m the aforesaid bills Specialties & accompts amounting to the said Sume of Eighteen thousand Six hundred twenty eight pounds of tobacco And did intrust & imploy him the said W^m to Collect & receive the same tobacco for the use of the said Richard And did consent & agree to allow unto him the said W^m usuall Sallery to witt tenn pounds in The hundred for what he should receive for him the said Richard as aforesaid And the said Richard ever was & still is ready to allow of the same Yett the said W^m in his life tyme his promise & assumpcōn aforesaid in that behalfe little regarding And the said Sybill Exec^r of the last Will & Testam^t of the said W^m after the death of the said W^m and while she was sole or the said Henry & Sybill since their intermarriage the said Eighteen thousand six hundred twenty eight pounds of tobacco or so much thereof as is received (Sallery deducted) & the bills specialties & accompts in kinde of the residue unreceived unto the said Richard Bankes have not rendred nor any of them hath rendred though often thereunto required, but the same to render haue refused And the said Henry & Sybill still doe refuse to the damage of the said Richard Bankes thirty Thousand pounds of tobacco & thereupon he brings his suite

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