

Liber W. C. Thomas upon himselfe did assume & to the said John did faithfully promise, that he the said Thomas him the said John when thereunto required the said Summe of thirteen thousand five hundred & fifty pounds of tobacco would well & truly content & pay In pursuance whereof the said Thomas him the said John Eleven thousand one hundred sixty nine pounds of tobacco part of the said thirteen thousand five hundred & fifty pounds of tobacco paid, but as to two thousand three hundred Eighty one pounds of tobacco residue of the said Summe of thirteene thousand five hundred & fifty pounds of tobacco to him the said John due as aforesaid, the said Thomas Jones contriving & designing him the said John Penroy of the same two thousand three hundred Eighty one pounds of tobacco to deceive & defraud, his promise & assumption so as aforesaid made not regarding, the said Thomas him the said John the said two thousand three hundred Eighty one pounds of tobacco according to his promise although often thereunto required hath not paid & satisfied, but the same to pay and satisfie hath denied & as yet doth deny to the damage of the said John Penroy foure thousand pounds of tobacco & thereupon he bringeth his suite

p. 31 And the said Thomas Jones by Robert Carville 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 p^t also

Now here att this day to witt the ffifteenth day of Octob^r in the fourth year of the Dominion of the right Hon^{ble} Charles Lord Baltimore &c Annoq̄ Doni 1679 came the said partyes by their Attorneys aforesaid And the said Tho: Jones by his said Attorney saith, that he did not assume and promise in manner & forme as the said John Penroy above against him hath complained And of this he putts himselfe upon the Countrey And the plaintiffe likewise Therefore itt is Comāded the Sheriffe of S^t Maryes County that he cause to come here twelve &c by whom &c and who neither &c to recognize &c because as well &c on which said ffifteenth day of Octob^r in the yeare aforesaid came the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Edward English, W^m Collins, John Haslwood Jacob Loton, Cornelius Comegijs, Richard Baily, W^m Cole, John Askin, Edward Dorsey, John Staynes, W^m Layton & Symon Spracklin, who being elected tryed & sworne to say the truth in the p^rmisses upon their Oaths doe say, that the said Thomas Jones did assume & promise in manner & forme as the said John Penroy hath above complained And they assesse the damage of the said John Penroy to two thousand & six pounds of tobacco Therefore itt is considered that the said John Penroy recover against the said Thomas Jones as well the summe of two thousand & six pounds of tobacco damages by the juro^{rs} aforesaid in forme aforesaid assessed As also One thousand One hundred & foure pounds of tobacco costs of suite And the Defend^t in mercy &c