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The said John then and there did faithfully promise that they the said Thomas and Nehemiah all such Costs and Charges as were by the said John expended in and about the prosecution of the said suits to the said John when they should be afterward thereunto requested they would well and faithfully pay and Content and the aforesaid John in fact saith that giving Credit to the promises and assumption of the aforesaid Thomas and Nehemiah to him the said John in manner and form so as aforesaid made he the said John did cease from the further prosecution of the said suits against him the said Thomas and that the Costs and Charges by him the said John in and about the prosecution of the said suits in Somerset County Court aforesaid amount in the whole to the sum of nine hundred and fifteen pounds of Tobacco of which the said Thomas and Nehemiah on the first day of December in the year aforesaid and often afterwards by the hands of the said John had notice Nevertheless the said Thomas and Nehemiah their severall promises and assumptions aforesaid in manner and form so as aforesaid made nothing regarding but plotting and fraudulently Intending the said John in that part craftily and Subtily to deceive and defraud the said nine hundred and fifteen pounds of Tobacco to the said John altho' the same to do the said Thomas and Nehemiah by the said John on the aforesaid first day of December in the year aforesaid and often afterwards at the County of Somerset aforesaid they were thereunto requested have not paid or Contented nor hath either of them paid or Contented but the same to pay have refused and each of them hath refused and the same to him to pay still doth refuse and deny to the damage of the said John of eighteen pounds Currant money of many kind and thereupon he brings suit &c. —

Witness J. J. Doe and R. Roe

And the aforesaid Thomas and Nehemiah by George Douglas their attorney Come and defend the force and Injury when &c. and prayd in Leave thereof to be imparle here untill the next Court to be held at dividing Creek in and for the County aforesaid the third Wednesday of November then next following and they have it and the same day is given to the aforesaid John here also &c. —