

half the cost of sale. That by reason of said contract and agreement this defendant was entitled to one half of said net amount received from said warehouse to wit, \$139.52 and the remaining half, an ~~xxx~~ equal was due to his co defendant, that deducting therefrom his house rent and advancements amounting to \$127.50 there remained ~~xxx~~ owing to the said Mellard \$12.02 which he now offers to pay into Court.

He says that the said tobacco so delivered was all of the tobacco raised by his co defendant on his said farm, and the said amount so received was all the money received for said crop.

He files the sale bills issued to him by the Mercer Tobacco Warehouse for said sales showing the weights, price and net amount received, less costs of sale.

Wherefore having answered he prays to be dismissed and for his cost and for all proper relief.

W. H. Gasser

Atty for Phil Lyons.

The affiant Phil Lyons says the statements of the foregoing answer are true.

Atty. R. Lung

Phil^{hus} + Lyons
mark

Subscribed and sworn to before me by Phil Lyons this April 11 th 1927.

Lotta Lung Ex M C