

from having his action aforesaid against them the said Rose Gerard and John Gerard for that he Saith that they the Said Rose and John have not fully administred and paid Out of the estate of the Said Thomas Gerard deceased nor are indebted by debts of a high nature beyond what assetts are come to the hands of them the said John & Rose and of this he putts himselfe upon the Country and the defendants likewise. Therefore Comānd is given to the Sheriff of S^t Maries County that he cause to come here twelve &c by whom &c who neither &c because aswell &c to recognize &c. Liber M M

Now here at this day to wit the fiftenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said Thomas Gerard by his Attorney & the said Rose & John Gerard by their Attorney and the jurors of that jury came likewise to wit John Balley John Luellin Richard Ackworth Morgan Jones Henry Rider John Hunt Thomas Doxey John Doxey Joseph Edloe Richard Ball Thomas Courtney and Stephen Murty who being impannelled sumōned & Sworne to Speake the truth of & in the premisses Upon their Oathes doe Say They find for the plaintiff five and thirty thousand pounds of tobacco Therefore is is considered of by the Court here that the said Thomas Gerard recover of the estate of the Said Thomas Gerard Esq̃ deceased the said summe of five and thirty thousand pounds of tobacco for his damages occasioned by the trespas aforesaid as also the summe of two thousand & eight pounds of tobacco for his costs & charges in this suite expended.

Edward Conery John Gerard and Rose Gerard execut ^{rs} of Thomas Gerard	}	John Gerard and Rose Gerard Late of S ^t Maries County executors of the last will & Testament of Thomas Gerard lately called Thomas Gerard of S ^t Clements Mannour Esq̃ were Sumōned to answer unto Edward Conery of a plea that they hold unto him the said Edward Conery the Covenant made betweene the said Thomas Gerard of the One part and the said Edward Conery of the other part according to the force forme and effect of certaine Indentures thereupon betweene them made.
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And whereupon the said Edward by Robert Carvile his Attorney saith that whereas by a certaine Indenture made at S^t Clements Mannour in S^t Maries County aforesaid upon the Sixth day of October in the yeare of Our Lord One thousand Six hundred Sixty Six betweene the aforesaid Thomas Gerard Esq̃ in his life time of the One part & the aforesaid Edward Conery of the other part, which other part signed with the seale of the aforesaid Thomas Gerard the said Edward produceth here in Court whose date is the day and yeare abovesaid It is witnessed that the said Thomas Gerard Esq̃