

deliver to him the said ffrancis one full equall fourth part of all & singular the personall Estate of him the said James Humes the whole being equally divided into foure parts, & the said ffrancis Dorrington in fact saith, that he the said ffrancis trysting to the faithfull promise & assumpon of him the said James aforesaid, afterwards to witt the nine & twentieth day of June in the yeare of our Lord God one thousand six hundred seventy & six att the house of the said James Humes upon the Clifts in the said County of Calvert did take to his wife the aforesaid Sarah, & the same Sarah according to the rights and customes of the Province of Maryland then & there Espoused Yet the aforesaid James little regarding his promise & assumption aforesaid, but plotting & fraudulently intending the said ffrancis in that behalfe craftily & subtly to deceive & defraud, the aforesaid equall fourth part of his said personall Estate or any parcell thereof according to his promise & assumpon so as aforesaid made in his life to the aforesaid ffrancis Dorrington hath not paid or delivered nor in any manner for the same given content, nor the said John Sunderland since the death of the said James Humes Adm^r of the Goods & Chattells of the said James Humes although often thereunto required the said one full equall part of all & singular the personall Estate of the said James Humes hath not paid or delivered nor in any manner for the same given content By which he the said ffrancis Dorrington divers comodities profitts & advantages might have had & gained if the aforesaid James his promise & assumpon aforesaid in forme aforesaid had performed hath totally lost & is deprived of, whereupon the said ffrancis saith that he is damnified & hath damage to the Value of twenty foure thousand p^{ds} of tobacco & thereupon he bringeth his suite.

And the said John Sunderland by Robert Carvile his Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Court & itt is granted unto him, the same day is given to the plaintiffe also.

Now here att this day to witt the Seventeenth day of June in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq^{ue} Doni 1678 came the said parties by their Attorneys aforesaid And the said Jn^o Sunderland by his said Attorney saith, that the said James Humes did not assume upon himselfe nor to the said ffrancis make such promise as the said ffrancis hath above imposed upon him, & of this he putts himselfe upon the Countrey & the plaintiffe also Therefore comand is given to the Sheriffe of S^t Maryes County that he cause to come here twelve &c by whom &c who neither &c to recognize &c because as well &c

Att which said Seventeenth day of June in the yeare aforesaid came the said parties by their Attorneys aforesaid And the jurors impannelled being called likewise came to witt Gilbert Turberville, W^m Wells, Edward Williams, Philip Lynes, Tho: Hinton, Cornelius