

May then next following judgem^t was given against the said John Edmondson & Richard Tilghman for the sume of Ninety six thousand one hundred twenty & three pounds of tobacco upon a scire facias issued against them att the said, John Quigleys upon the Recognizance aforesaid so by them entred into by the said John Edmondson & Richard Tilghman for the said Ralph Blackhall After which the said Richard Tilghman dyed, the said Mary then being Ex^t of the said Richard, & fearing the said judgem^t of the said John Quigley so obtained against the said Richard & John as aforesaid would be levyed on the Estate of the said Richard then remaining in her hands, Afterwards to witt the first day of May One thousand six hundred seventy six in consideracōn that the said John Edmondson would sue out a Writt of Error to Reverse the said judgem^t & retaine Councill & pay all ffees in & about the same, she did assume upon her selfe & to the said John Edmonson did faithfully promise that she the said Mary the one halfe of whatsoever he should expend in & about the managem^t of the same, she the said Mary him the said John would repay satisfie & content when thereunto required And the said John in fact saith that trusting to the faithfull promise & assumpcōn of the said Mary to him the said John in this behalfe so as aforesaid made, he did sue out a writt of Error dated the twenty ninth day of May then next following And the judgem^t aforesaid in the Upper house of Assembly the fifth day of June then next following did reverse And did expend & lay out in ffees & other necessary expences in & abouting doeing & pforming the same the sume of seven thousand three hundred twenty & three pds of tobacco A particuler whereof is by the said John here in Court produced the moitey of which amounts to the sume of three thousand six hundred sixty & one pounds of tobacco Notwithstanding which the aforesaid Mary her promise & assumpcōn so as aforesaid made not regarding but deviseing And fraudulently intending him the said John of the said sume of three thousand six hundred sixty & one pounds of tobacco to deceive & defraud, the said Mary him the said John the said sume of three thousand six hundred sixty & one pounds of tobacco although often thereunto required hath not paid or satisfied according to her promise, but the same to pay or satisfie hath refused & denyed & as yet doth refuse & deny to the damage of the said John ffoure thousand pounds of tobacco & thereupon he bringeth his suite

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And the said Mary Tilghman by Robert Carvile her Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto her, the same day is giuen to the plaintiffe also

Att which said next Provinciaall Court came the said parties by their Attorneys aforesaid And the said Mary by her said Attorney saith that she did not assume upon herselfe nor to the said John make