

Liber N N assumpcōn aforesaid, but plotting and fraudulently intending the said ffrancis in that behalfe to deceive & defraud the aforesaid equall fourth part of his said personall Estate or any part thereof according to his promise & assumpcōn so as aforesaid made in his life tyme to the aforesaid ffrancis Dorrington hath not paid or deliuered nor in any manner for the same given content nor the said John Sunderland since the death of the said James Humes Admist<sup>r</sup> of the Goods & Chattles of the said James Humes although often thereunto required the said one full equall part of all & singuler 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 comōdities profitts & advantages might have had & gained if the aforesaid James his promise & assumpcōn aforesaid in forme aforesaid had performed hath totally lost & is deprived of to his daṁage twenty foure thousand pounds of tobacco In such manner itt is proceeded in this Court the Seventeenth day of June in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doni 1678 that the said ffrancis Dorrington ought  
p. 745 to recover against the said John Sunderland Adm<sup>r</sup> as aforesaid his daṁages by reason of the p<sup>r</sup>misses, but because itt is not known what daṁages the aforesaid ffrancis Dorrington hath sustained by occasion thereof Therefore itt is comāded the same Sheriffe that he cause to come here to witt the ffifteenth day of October in the yeare aforesaid twelve good and lawfull men within his bailywick diligently to enquire what daṁages the aforesaid ffrancis Dorrington hath sustained by occasion of the p<sup>r</sup>misses

Att which said ffifteenth day of October in the yeare aforesaid cometh as well the said ffrancis Dorrington by George Parker his Attorney as the said John Sunderland by Robert Carvile his Attorney And the jurors impannelled being called likewise come to witt Thomas Hedge, W<sup>m</sup> Thomas, Randall Revell, Henry Parker, Joseph Tilley, David Holt, John Highland, Morgan Jones, John Warren, John Hollins, Thomas Pattison & Thomas Jones who being elected tryed & sworne to say the truth in the p<sup>r</sup>misses upon their Oaths doe say that the said ffrancis Dorrington hath sustained daṁages by occasion of the p<sup>r</sup>misses to Eleven thousand Eight hundred & Eighteen pounds of tobacco Therefore itt is granted by the Court here that the said ffrancis Dorrington recover against the said John Sunderland Adm<sup>r</sup> as aforesaid the Sumē of Eleven thousand Eight hundred & Eighteen pounds of tobacco daṁages by the jurors aforesaid in forme aforesaid assessed As also three thousand three hundred forty two pounds of tobacco costs of suite.

Henry Phipps ag <sup>t</sup> Henry Stocket	}	His Lordshipp the Lord Prop <sup>ry</sup> of this Province sendeth his Comission to Walter Hall & John Addison gent <sup>l</sup> directed which followes in these words Viz <sup>t</sup> Charles absolute Lord & Prop <sup>ry</sup> of the Prov-
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