

March Court Am'd: -- 1728 -- 170

All which said Next Court to witt of Eighteenth Day of March And Dow. one thousand  
Seven Hundred & twenty Eight came again as well w<sup>th</sup> J<sup>d</sup> J<sup>r</sup> Murray, as J<sup>d</sup> Rachel  
Alexander by their atty J<sup>d</sup>. and the afo Rachel by her said attorney as before defend. the  
free and injury when w<sup>th</sup> and saith that the said John his action afo thereupon against her the said  
Rachel to have and maintain ought not because she saith, that she at the time of the suing out  
of the Original writ of the said John, against the said Rachel had fully diminished all the goods  
and Chattels which were of the afo Henry at the time of his death in her hands Remaining to be  
diminished by reason whereof the said Rachel the debt afo to the afo and to the afo John  
could not pay and this she is Ready to verify whereupon the pray Judgment. if the said John  
his action afo said thereupon to have and maintain ought w<sup>th</sup> -

And whereupon the said Rachel by her attorney aforesaid relinquisheth her  
avowment afo by her above alledged, and says that she cannot gain say the averment of the said John  
nor can she say but that the aforesaid Henry in his life did assume upon himself in manner and form  
as the said John above against her hath complained, and as to the damage of the same John by  
him by Occasion of the premises in that part sustained, the same Rachel says and confessed that  
the aforesaid John hath sustained Damage by Occasion of the premises besides his Costs and Charges  
by him about his Suit in that part Expended to Six pounds <sup>ten</sup> shillings and Eight pence current money  
and because the said John deny not this but the same allegation confesseth to be true, pray, Judge  
and those Damages above confessed together with his Costs and Charges afo to him adjudged &c

Therefore by consent of the parties and it is considered that the aforesaid John Munnell  
Recover against the said Rachell Alexander Stemburgh as ap his damages to the said six pounds.  
three shillings and eight pence furr. money by the said Rachell in form ap forfeited as also two  
hundred and fifty five pounds of tobacco for his loss and charge and to the same John as his  
Request by the Court here and consent of the parties and adjudged to be seized of the goods and  
chattels which were of the said Henry at the time of his death in the hands of the same Rachell  
remaining to be administered, if the said Rachell hath so much thereof in hands, and if <sup>thereof</sup> so much  
her hands she hath not then the loss ap to be seized of the proper goods and chattels of the  
same Rachell and the said Deft in Mery 1100 -

Francis Allen } Henry Traverse Late of Colmersett County Labourer was attached  
 for Henry Travers. } to answer unto Francis Allen of a plea of trespass upon the case &c.

And whereupon the same Francis Allen by Lewis Gale his attorney, complains that whereas the sd Henry Travers the tenth day of October and Dowd One thousand Seven hundred and twenty eight at Somersett County within the Jurisdiction of this Court was indebted unto the same Francis the sum of Eighteen hundred and forty pounds of tobacco as by and here with in court produced may appear and so there off being indebted the said Henry in consideration thereof afterwards to wit the same day and year at the County aforesaid within the sd Jurisdiction