

Whereupon all and singular the premises being seen and by the Court fully understood & mature deliberation thereupon had. it seems to the Court here that the reasons in most of Judgments on the Verd' are not sufficient in Law to Bar and preclude the said William of and from having of Judgment on the Verd'. aforesaid &c.

Therefore it is considered that the aforesaid William Campbell recover against the aforesaid Thomas Gray his damages aforesaid by the Jurors aforesaid in form aforesaid assessed as also six hundred & Eighty pounds of tobacco for his work and Charges aforesaid to the same William of his account by the Court here of Increase adjudged which certain damages in the whole doe amount to Seven pounds Seven shillings and Eleven pence Court money and six hundred and Eighty pounds of tobacco and the said Thomas in Mercy &c.

Richard Gildart Esq.

Mary Humphreys Esq. of Thomas Humphreys

Somerset for Mary Humphreys late of Somerset County in Maryland Widow &c. of the testament and last will of Thomas Humphreys late of the said County of Somerset planter

was attached to answer to Richard Gildart of Liverpool in England March^t of a plea of trespass upon the Case &c. And whereupon the said Richard by Thomas Blust his Attorney complains that whereas the said Thomas in his life time Viz^t the first day of July in the year of our Lord One thousand Seven hundred and thirty four at Somerset County afores^d within the Jurisdiction of this Court was indebted to the said Richard in the quantity of eight hundred & fifty four pounds of good Merchants Tobacco for sundry goods & Merchandises in his life time & at his request to him sold & delivered as by an Acc^t may more fully appear, and being so indebted the said Thomas in his life time afterwards to wit the day and year afores^d at Somerset County afores^d in consideration thereof upon himself did assume and to the said Richard then and there faithfully promised that by the said Thomas the said eight hundred & fifty four pounds of tobacco to the said Richard when afterwards he should be thereto required would truly pay and content Nevertheless the said Thomas in his life time or the said Mary sined the death of the said Thomas the promise and assumption of the said Thomas in his life time so as afores^d made not regarding but designing & each of them fraudulently intending the said Richard in this part craftily to deceive & defraud (the