

November Court — 1735 — 120
the said Eight hundred & fifty four pounds of tobacco or any part
thereof to the said Richard (altho' the s^d Thomas in his life time
afterwards to wit the first day of July in the year of our Lord
afores^d and the said Mary since the death of the said Thomas
to wit the first day of May in the year of our Lord One thousand
Seven hundred and thirty five and often afterwards at Somerset
County afores^d by the said Richard was thereto required that he
not paid or Contented, nor either of them paid or Contented
but him to pay or Content had altogether refused and the
said Mary him to pay or otherwise Content, further doth
altogether refuse to the s^d damages thirty pounds Curr^t &
money of Maryland and thence he brings Suit &
pledges & In. Doc. R. Roe

And the aforesaid Mary Humphry's Ex^{tr} of the same Thomas Humphry in her own
proper person Cometh and defendeth the fore and Injury when & saith that She cannot gain
say the action aforesaid of the aforesaid Richard Gildart nor can she say but that the said Thomas
Humphry in his Life time did assume upon himselfe in such manner and form as the s^d Rich^d
Gildart above against her hath Complaind and as to the damage of the same Richard by him by
ouasion of the premises in that part Sustained the same Mary saith and Confesseth that the s^d
Richard hath Sustained damages by ouasion of the premises beyond his loss and Charges by
him about his Suit in that part apposed to Eight hundred and fifty four pounds of tobacco
and not more to be Levied of the goods and Chattels of the said Thomas Humphry at the time of his
Death and which here after shall come to the hands of the s^d Mary to be administered. and because
the aforesaid Richard denys not this but the same allegation Confesseth to be true prays Judgment
for those damages above Confessed together with his loss and Charges s^d to him to be adjudged to be
Levied of the goods and Chattels which were of the said Thomas at the time of his death that shall here
after come to the hands of the said Mary to be administered &

Therefore it is considered that the s^d Richard Gildart Recover against the
aforesaid ~~the aforesaid~~ Mary Humphry Ex^{tr} of the s^d Thomas Humphry his damages
aforesaid to the s^d Eight hundred and fifty eight pounds of tobacco as Confessed as
also Two hundred & Eighteen pounds of tobacco of tobacco for his
Costs and Charges aforesaid to the said Richard by the Court now adjudged to be Levied of
the goods and Chattels which were of the said Thomas at the time of his death that shall here after come
to the hands of the said Mary to be administered and the s^d doct^r in Mary &