

August Court ----- 1735 ----- (70)

And whereupon the s^d Mary by Francis Allen her attorney saith that whereas y^e s^d Richard the twentieth day of July Anno Domini 1702 hundred & thirty three at the County of Somerset afores^d. within the View of this Court by his certain writing obligatory w^{ch} the s^d Mary with the seal of the s^d Richard signed herinto Court brings the date whereof is the same day & year did acknowledge himself to be bound unto the s^d John in his life-time in the afores^d eighty pounds to be paid unto the s^d John when he should be therunto required y^e to the s^d Richard the s^d after required the s^d eighty pounds to the afores^d John in his life-time or to the afores^d Mary Since the death of the s^d John to whom admⁿ of all & singular the goods & Chattels &c of the s^d John at the time of his death since the decease of the s^d John by Nehemiah King Dep^y Com^{rs}ary of Somers^t County on the first day of March Anno Domini 1702 hundred & thirty four at the County of Somers^t afores^d. in due form of law was committed hath not rendered but the same to the s^d John in his life-time or to the afores^d Mary Since the decease of the s^d John to render hath denied and the same to the s^d Mary to render still doth deny and unjustly detain to the retarding her in her admⁿ afores^d. whereupon she saith she is wound & hath damages to the value of fifty pounds w^{ch} money of Maryland and thereupon she brings Suite &c and brings into C^t here her letters of admⁿ by w^{ch} &c

Edg^r De^y for John De^y Pl^{oc}

And the aforesaid Richard Wallan in his proper person cometh and defendeth the force & Injury when &c. and saith that he cannot gainy the action a^d of the a^d Mary nor can he say but that the writing obligatory a^d is the deed of him the same Richard nor but that he had claimed from the same Mary the a^d eighty pounds current money in manner and form as the a^d Mary above against him hath declared wherefore the same Mary prays Judg^t for the debt a^d and for damages sustained by occasion of the detaining of that same debt to her to be adjudged &c

Therefore it is considered by the Court here that the aforesaid Mary Wallan admⁿ of the same John Wallan's debt Recover against the a^d Richard Wallan her debt a^d and her damages sustained by occasion of the detaining of the same debt to three hundred and eighty five --
385 pounds of tobacco to the same Mary of her a^d by the Court here adjudged and the a^d doeth in mercy &c

Joseph Dashnell -- Somers^t Charles absolute Lord and Proprietary of the provincial
Commissions & affidavits of Maryland & Avalon Lord Baron of Baltimore &c To George
Scott John Gale Day Scott and Joseph Wailer all of Somers^t
County Gentlemen greeting know ye y^e we have appointed you or any three or two of
you to be our Commissioners to examine Evidence on behalf of a certain Joseph
Dashnell of the County a^d in relation to the second boulder of a tract of land called any
thing on which second boulder depends the first boulder of a tract of land called
:dine's desire &c We therefore require you or any three or two of you at some time and place
as to you or any three or two of you shall seem Con^{ve}nt you meet on the afores^d land
called as a^d (you first having taken your oaths on the holy Evangelist of almighty God