

March Court 1701

Which cause was sent, & Said Defendant in Court. Custody untill this Court  
 27 day of March Anno Domini 1701 & Plain. Declaration viz. and  
 Maryland sh. Thomas Tolley of Kent County Gent. stands attached to answer unto Henry Brayley  
 of Kent County of Aplea of Trespasse upon & Case

And whereas upon y<sup>e</sup> Said plaint by Richard Marklin his Attornay complains that whereas  
 Said Plaintiff by w<sup>o</sup>ny fifth day of Septem<sup>r</sup>. Anno Domini 1699. at y<sup>e</sup> Sp<sup>t</sup>. instanc<sup>e</sup> & request of  
 Said Defendant but for y<sup>e</sup> ~~purpose~~ whoose y<sup>e</sup> Said Plaintiff. on y<sup>e</sup> day of Gods aff. did  
 Ship on board y<sup>e</sup> good Ship ~~Factor~~ y<sup>e</sup> Factor sundry goods wares Merchandizes amounting to  
 value of Nineteen pounds five Shillings Sterl. which Said goods he y<sup>e</sup> Said Plaintiff did  
 consign<sup>d</sup> & sent in y<sup>e</sup> aff. Ship Factor for Maryland to be Delivered by y<sup>e</sup> Master of y<sup>e</sup> Said  
 Ship Factor to y<sup>e</sup> Said Defendant to be disposed of by y<sup>e</sup> Said Defendant for y<sup>e</sup> Said Plaintiff. and  
 whoose and y<sup>e</sup> Said Plaintiff in fact further faith that y<sup>e</sup> Said Ship Factor did safely  
 carried in Maryland and y<sup>e</sup> Said goods he too do aff. consigned and sent by y<sup>e</sup> Said Plaintiff to  
 y<sup>e</sup> Said Defendant in y<sup>e</sup> Said Ship Factor was safely & in good order delivered by y<sup>e</sup> Said Defendant  
 which Said goods he amounting to y<sup>e</sup> aff. 19.05.00 appears by a particular acc<sup>t</sup>. thereof to this  
 Court. annexed and here into Court brought in Consideration whereof y<sup>e</sup> Said Defendant at Kent  
 County within y<sup>e</sup> jurisdiction of this Court upon himselfe did affirm and unto y<sup>e</sup> Said Plaintiff  
 faithfully promise that he y<sup>e</sup> Said Defendant when therunto afterwards required a true & just  
 account of y<sup>e</sup> aff. goods wares & Merchandizes unto y<sup>e</sup> Said Plaintiff. he would fairly render  
 together w<sup>th</sup> y<sup>e</sup> Sales of y<sup>e</sup> Said goods y<sup>e</sup> Net worth of y<sup>e</sup> Said Defendant. his aff. promise & sumpt  
 tion little regarding or thinking but plotting contriving & fraudulently intending y<sup>e</sup> Said Plaintiff of  
 aff. goods wares & Merchandizes & craftily & subtilly to deceive & defraud y<sup>e</sup> Said goods he. Sales or  
 profits thereof to y<sup>e</sup> Said Plaintiff. y<sup>e</sup> Said Defendant hath not made renders or given altho  
 of him demanded but y<sup>e</sup> Said goods to his own use and advantage hath employed & disposed  
 whereas upon y<sup>e</sup> Said Plaintiff. faith he is damaged and damage hath to y<sup>e</sup> value of Thirty eight  
 pounds Sterl. and thereupon he brings this Suit and Marklin of y<sup>e</sup> Bar

Mored y<sup>e</sup> 25. Septem<sup>r</sup>. 1699. Sent you in goods in y<sup>e</sup> Factor as under

1. one gray cloath coat w <sup>th</sup> 6 <sup>th</sup> button	18	Brought up	16
2. one redish cloath coat w <sup>th</sup> 6 <sup>th</sup> button	16	19. best & richest for a man flow <sup>r</sup>	16
3. one peragon womans coat w <sup>th</sup> fring	10	20. best & richest strip <sup>d</sup> flow <sup>r</sup>	16
4. one mantle of greenish stuff	14	21. womans pollicole flow <sup>r</sup>	9
5. one mantle more greenish	14	w <sup>th</sup> fring	9
6. one cloath coat of gray	6	22. womans pol. of y <sup>e</sup> same w <sup>th</sup> fring	9
7. one cloath coat more	6	23. womans mantle of yell. stuff	15
8. one gray cloath more	6	24. more womans ditto	15
9. one cloath coat more	6	25. womans polt. w <sup>th</sup> 6 <sup>th</sup> fring	18
10. one cloath more with button	6	26. more womans ditto	2
11. woman yelowish strip <sup>d</sup> coat w <sup>th</sup> fring	13	27. womans pol. yell. w <sup>th</sup> 6 <sup>th</sup> fring	12
12. one yellowish strip <sup>d</sup> coat w <sup>th</sup> fring	13	28. more womans ditto	12
13. a womans pollicole flow <sup>r</sup>	13	29. a mans coat of rough	2
14 one mantle for a woman	15	30. Ferg <sup>d</sup> w <sup>th</sup> 6 <sup>th</sup> button	1
Carried up	10	woman coat of 4 <sup>th</sup> 6 <sup>th</sup>	13
		with 2 <sup>th</sup> 6 <sup>th</sup> button	19
		with 2 <sup>th</sup> 6 <sup>th</sup> button	11
		with 2 <sup>th</sup> 6 <sup>th</sup> button	13

On which Said Day y<sup>e</sup> Said Defendant Thomas Tolley comes into Court & Testifies the Judgment  
 in his proper person for y<sup>e</sup> Said Sums of Thirtion pounds & five Shillings Sterl. due & payd

Henry Brayley