untill he give Spec. bayle to the Said Action after w.ch Thomas Whitehead of this County Gent in Court
Cometh & becometh bayle and doth undertake for the Said Thomas Pell the payment of the —
Damages & Costs if it Shall happen that the Said Elizabeth Boorn Shall obtaine Judgment against
the Said Thomas in the Said Action of Trespass upon the Case and the Said Thomas the Condem=
=nation Shall not Satisfie nor himselfe to the Custody of the Shrif of Said County deliver or that
the Said Thomas Whitehead the body of the Said Thomas Pell Shall not render &c —

And the Said Defdt in his proper person appeared and prayed liberty thereof to
imparle untill next Court w.ch to him was granted the Same day was given the pltff also.

Att w.ch Said next Court Viz.t the Twenty Sixth day of August in the year
afs.d the Said cause Standing for Tryal Came the Said pltff by Christopher Philipson
her Atty and Declare Viz.t Kent County in Maryland ss. Thomas Pell of Kent County —
afs.d Planter was attached to August. unto Elizabeth Boorn of Said County Widdow of a plea of —
Trespasse upon the Case —

Att d whereupon the Said Elizabeth by Christopher Philipson her
Attorney Complaine for that whereas the afs.d Elizabeth in the year of our Lord God one thousand
Seven hundred & Seaven at Kent County afs.d within the Jurisdiction of this Court att the Spc. Instance
& request of him the Said Thomas Pell & Delivered unto him the Said Thomas Pell Wearing apparell
Amounting to the Summe of four hundred and thirty pounds of Tobacco As by an Acc.t of particu=
=lars hereto annexed and here in Court brought may more certainly appear and in consideration
thereof he the Said Thomas Did upon himselfe assume & unto the Said Elizabeth then and
there faithfully promise that he the Said Thomas the afs.d Summe of 430 lb of Tobacco when
thereunto required would well & truly pay & Content Nevertheless the afs.d Thomas his —
promise & assumption afs.d in form afs.d made not regarding the afs.d Summe of 430 lb of Tobacco
unto the Said Elizabeth he hath not paid altho' upon the 25. day of March Anno Dom.i 1708 at
Kent County afs.d within the Jurisdiction & often Time by the Said Elizabeth he hath Soon required but the
Same to her to pay hath denyed & as yett doth deny & gainsay Whereupon she Saith Sho' it
was & Damage hath to the value of 860 lb of Tobacco & thereof she brings Suite &c —
Philipson pro Quer Plegi &c. Jn.o Doe Richard Roe

Anno 1707 Thomas Pell Dr Tobacco To one Gown & petticoate 350 To one pair
of Stockins 60 To one pair of Mittons for himselfe 20 Summ is 430 Errors Excepted
per mark
Jno Elizabeth E Boorn on the back of the Acc was Endorsed — August Court
1708 proved in open Court — Kem Smith Clk and prays that the Deft to this Decl
may Answer —

Att which Said Court Viz.t the day and year afs.d Cometh the Said pltff
by Chris. Philipson her Atty and offereth herselfe against the Said Thomas —
Pell in the plea afs.d and the Said Thomas Pell being Solemnly called cometh
not neither by himselfe nor any atty, by which the Said Elizabeth should —
remain against the Said Thomas without Defence o=o= Therefore it
Considered by the Court here Viz.t this Twenty Sixth Day of August

Anno