

118

late called Elizabeth Bateman executrix of the last will and Testament of William  
Bateman late of Kent County planter Deceased if they should be found in his Debt books  
and then safe keep so that he have their books before his said Lordships Justices  
of the next Court to be held at our Court house in the Town of Chester in said  
County to answer unto Thomas Smith of a plea of trespass upon the Case  
and so that he have them and there the said writ &c. All which said recd Court  
viz. the Nineteenth day of August the same year last mentioned the  
day of return of said writ James Simon Wilmer Gent High Sheriff of said  
County and made return thereof in these words thereon endorsed as follows viz.  
Epi. Corpus p. Wilmer Thes. C. 1110 et Declaration being filed to the  
said writ signed for the Copy thereof served therewith according to Act  
of Assembly in such Case made was as follows viz. Kent County p. Mathamick  
Ricketts of Kent County planter and Elizabeth his wife late called Elizabeth  
Bateman executrix of the last will and Testament of William Bateman  
late of Kent County planter Deceased stands obligated to answer unto  
Thomas Smith of a plea of trespass upon the Case C. 1110 Whereupon  
the ass. ptt. by Thomas Bortie his atty. C. 1110 that whereas  
the ass. Testator in his life time viz. the twenty fifth day of January  
in the year of our Lord Christ one thousand seven hundred and eleven  
at St. Pauls parish in Kent County within the Jurisdiction of this Court  
in consideration that the ass. ptt. at the special instance and request  
of the ass. Testator had then and there in the life time of the said Testator  
sold and delivered unto the ass. Testator and to the proper use and  
 behoofe of the ass. Testator divers Goods and Merchandizes in an Act  
hereto annexed shewen then and there upon himselfe executed and to  
the said ptt. then and there faithfully promised that he the said Testator  
so much Merchandable Tobacco as the ass. Goods and Merchandizes sold &  
delivered as ass. at the time of the sale and delivery thereof at reasonable  
rates and prices were worth and amounted to unto the said ptt. when  
thereunto required would well and truly pay and Content and the ass. ptt.  
indeed saith that the ass. Goods and Merchandizes sold and delivered as ass.  
at the time of the sale and delivery thereof at reasonable rates and prices  
were worth and amounted unto the Summe of one hundred & thirty two  
pounds of Merchandable Tobacco in Manner as in the said Act. set forth  
of which the said Testator in his life time then and there last mentioned  
had Notice and that whereas also the ass. Testator in his life time  
afterwards viz. the ass. twenty fifth day of January in the year ass. at  
the parish County and Jurisdiction ass. ptt. Considereth that the ass. ptt.  
at the like special instance and request of the ass. Testator had then &  
there last mentioned in the life time of the said Testator done & performed  
divers Services for the ass. Testator and to the proper use and behoofe  
of the ass. Testator as in Act. hereto annexed set forth Specifically ap-  
pears