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The said Eliza may reply to the plea and of the same debt whereupon it is said to the same Robt. by the Court here that he reply to the plea and Enter the Issue in the said plea and afterwards being the same term before the Justice thereof at dividing Ezeck in Somerset County the said Robert altho' solemnly called Cometh not nor to the plea of the said defendt. replyeth nor is his writt ^{and declaration} against the said Susannah further prosecuted &c.

There fore it is Considered by the Court here that the said Robert Gordon on take nothing by his writt and declaration and but that he and his pledges of presenting to wit John Doe and Richard Roe be in mercy and the said Susannah goe thereof without day &c. and further it is Considered that the said Susannah Wordie executrix of the said Alex Wordie Recover against the said Robert Gordon three hundred & Twenty Two pounds of Tobacco for her

Costs and Charges by her about her defence in that part sustained to the same debts by the Court here according to the form of the Statute in such case thereof made and provided adjudged and the same Susannah have thereof Payment &c. Memorandum: the bounty for Costs should have been entered at the end of the

probate of the said. but was omitted & Entered here as followeth - Whereupon the said Susannah Wordie do as affd by George Douglas her attorney Comer and prays that the said Robert Gordon may give Security for Costs in case nonsuit be obtained against him in the plea and which is by the Court granted thereupon obtain Francis Allen of Somerset County Gent. present here in Court in his proper person undertakes for the said Robert Gordon that in case he Nonsuited in the plea and or otherwise Legally Cast that then the said Robert Gordon shall pay the Condemnation of the Court and all Costs awarded thereon to the said Susannah Wordie or that he the said Francis Allen will do it for him &c.

At John Burnale - } Somerset County } John Bishop Ind. Sale of Somerset County planter was attached to answer unto John Burnell of a plea of trespass upon the case &c. 1703. John Bishop. } And Whereupon the said John Burnell by Francis Allen his Attorney complains that whereas on the first Day of May Anno Dni Seventeen Hundred & thirty Two at Somerset County aforesd Within the Jurisdiction of this Court a certain Communication being had & Moved by & between the said John Burnell & the said John Bishop concerning a Sorrell Mare belonging to him the said John Burnell the said John Bishop in Consideration that the said John Burnell then & there at the special Instance & request of the said John Bishop Did Deliver to him the said John Bishop the Mare aforesd Upon himself Did Assume and to the said John Burnell then & there Did faithfully Promise that he the said John Bishop the Mare aforesd for him the said John Burnell would sell & Dispose or Exchange for a Horse or otherwise would Redeliver the said Mare to the said John Burnell or the Horse Exchanged for Or in case of Sale the Money or Tobacco arising upon the said Sale to the said John Burnell would well & faithfully pay & Content when he should be thereunto requested. Never the less the said John Bishop his promise & Assumption aforesd in forme aforesd made Nothing regarding but plotting & fraudulently Intending the said John Burnell in that

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