

That the oppression of haveing the said Office imposed upon him oftner then was usuall, was att his own request and seeking. And if itt had not, yet not contrary to the said Act or any other; for that (recourse being had to the Law) yo<sup>r</sup> Hono<sup>rs</sup> will finde that by the same Overseers are to be appointed, & tobacco & labour to be Leavyed equally: so that itt is not ag<sup>t</sup> the Law, if they had appointed him overseer seven yeares together, & had itt not bin done by his own seeking, all that could be said of itt was, that he had therein hard measure

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That the said Com<sup>rs</sup> are not bound by the said Law to enable the overseer to impresse assistance, for that by the expresse words of the Law the said Justices are to provide labourers, & if they performe not their duty, the said Law hath also provided for their punishm<sup>t</sup>.

Then that the warrant by reason of the date could not be insufficient, for that the Com<sup>rs</sup> by the Act are only to consult between The first of Septemb<sup>r</sup> & the twentieth of Octob<sup>r</sup> in every yeare, & not by the Law tyed upp that their warrants shall beare date then & att no other tyme.

The said respondents say, that the Peticon<sup>r</sup> was due by sumons p. 589 to shew cause why he should not be fined according to Act of Assembly, upon the said presentm<sup>t</sup> but if by the laches & neglects of the Clerke the said Sumons & returne be not entred, the said Com<sup>rs</sup> say itt is no fault of theirs, nor ought they to suffer for the same.

That whereas the jury consisted of only Eleven persons was a misentry likewise of the Clerke, these respondents being able to make appeare to yo<sup>r</sup> Hono<sup>rs</sup> by sufficient Evidence that there was sixteen persons sworne & impanelled upon the said Jury, & as the Clerke tooke notice but of Eleven; if he had taken notice of none of them, the said Clerke was upon his Oath, & these respondents humbly conceive itt was none of their busines to see to the Clerkes entring upp of the Record after the Court was done

These respondents further say, that if their Judgem<sup>t</sup> was erroneous in giveing judgem<sup>t</sup> before itt was tryed by a petty jury, the Pet<sup>r</sup> was not by that barred from reversing the same by writt of Error, & had no need scandalously to complaine in his peticon of the oppressions he suffered by the illegal proceedings of these respondents

That these respondents being then & still his Lopps Justices of the said County of Dorchester doe avow to yo<sup>r</sup> Hono<sup>rs</sup> that the said judgem<sup>t</sup> they gave according to their consciences & not out of any spite or malice ag<sup>t</sup> the Pet<sup>r</sup> that if they have erred in their judgem<sup>t</sup> itt was for want of understanding the Law better, & they shall reckon itt no dishonour to them to have a judgem<sup>t</sup> of their legally reversed by a Writ of Error in a superiour Court And though these respondents in obedience to the order of yo<sup>r</sup> Hono<sup>rs</sup> have appeared to Answer the p<sup>r</sup>misses, & have sufficiently done the same, & are able to make this their Answer appeare to be true by the Oaths of sufficient Witt-