

June 9th 1691.

the absarant to all their Malice Lige people of this Province, during the Courts pleasure. and also pay all Court Charges, that have the Recognition to be void and of none effect, otherwise to be and remain in full power force and virtue.

Their Majesties.
Liberty: ~~of~~ ~~the~~ ~~Province.~~

Somerset County for the Jurors for their Malice being sworn upon the holy Evangelists at a grand Jury held for the body of this County, the second Tuesday in June last past do present and find that Robert Down of this County Planter is of evil fame and by the Inhabitants of this County especially of witnesses who the is Robert liberte. Suspected together with one Jm. Kemp of the same County Planter to have ranged the woods without licence from authority of this Province and have taken up one herse Colt belonging to Cap. Jm. Windsor of this County Gent. and upon the two and twentieth of July last past, did bring the said herse Colt without the knowledge Consent or privity of the said Cap. Jm. Windsor Contrary to the law, and also to the great loss damage and detriment not only of the said Cap. Jm. Windsor, but also of all the good people of this Province, and against public peace, which is promised the above Robert Down. hath committed and is therefore guilty. Therefore their Malice Attorney Craved judgment may be entered against the said Down according to Law. etc.
James Langster.

The Indictment being read to which the said Robert Down pleaded not guilty, and for trial put himself upon the Country whereupon Command was given to the Sheriff to summon twelve good and lawfull men of his neighbourhood that the matter might be tried and understood, and thereupon Command was given to the Sheriff & the Jurors, whose names are as following viz. Peter Deery Jm. Smith. Jm. Henderson. Jm. Dufon. Thomas. Horfman. Jm. Wells. Miles. Gray. Edward. Wind. Jm. Hearn. Henry. Hudson. Jm. Bryan. Bart. Thomas. Cull, who being duly returned impanelled and sworn having heard the foree Indictment, and all the Calles of those eight Witnesses hereafter named, viz. Thomas. Gordon. Thomas. Atworthe. John. Little. Edward. Wright. Richard. Atworthe. Thomas. Willson. Jm. Giles. Jm. Richards. Jm. White. Jury having read their charges are sent forth to determine the same. — And being now returned do bring in the following verdict. which is ordered to be entered as following viz. the Jury finds for the plaintiff, and ad judges the Colt at five hundred pound of tobacco. — And therefore it is the Courts judgment that they pay four fold to him viz Kemp & Down care of them one thousand pound of tobacco — It is also further ordered that the said Robert Down give security for his good behaviour, and thereupon came the said Robert Down with two sureties viz. John. Little and Richard. Atworthe. And the said Down did by Recognition acknowledge him self to be indebted to their Malice in the sum of ten pound sterling moneys of England, and the said Jm. Little & Richard Atworthe in the sum of five pound like moneys to be levied upon their goods and Chattels Land and Removables for their Malice up to etc.

The Condition of writing Recognition is such that if the above bound Robert Down be of the good behaviour and absarant to all their Malice Lige people of this Province, that he like wife pay all Court Charges that have the Obligation to be void and of none effect otherwise to be and remain in full power force and virtue and so on and so on and so on and so on
Ordered by the Court the Jury have their fees in Kemp and Down viz all.