

William Jenckins of the Somerset County.

vs: Martin Dyl. } Francis Martin of this County was attached
to answer unto William Jenckins of a Plea of trespass

on the Case of the said who upon the said Wm by his Solicitor & Attorney Complainant
that whereas in the year of our Lord 1694 some time in the month of January & January
within the Jurisdiction of this Court, the said Francis did then & there assume on himself
to the said Wm Faithfully promise that he the said Francis Sundry work for Edward
Barnett (viz) the getting the light Wood splitting & chipping to sell and vend so much
light wood as should produce the full quantity of ninety gallons of Larr. And the said
Wm in fact saith that he giving Credit to the said assumption so as aforesaid:
did deliver to the said Francis a Certain Bill of the said Edward Barnett payable
to the said Wm Jenckins for the sum of Seven hundred & forty pounds of lawful
Monies of the said Francis the said Work according to his assumption he had
performed to the damage of the said Wm of 3000 Pounds of lawful Monies & thereon he brings
this Sub. &c. Dowl of Larr. Plea of the. In the Rich. 2^d.

And the Defendant of Sam Worthington his Attorney came & saith that he hath only had
a hearing for this action he is now sued for before Thomas Dixon one of the Justices
of this Court & that he ought not to be troubled for the same, the said Jenckins having
declared before the said Justice that it was but for or five days work that the said Martin
who was set was indebted to him & that he hath confessed before the said Justice would
hear the Cause of the said Jenckins that he had no further to say against the said Martin & saith
it lies not within the Jurisdiction of this Court, and puts himself upon the Court

Worthington of Dyl

And the Plt puts himself on the Court also. Dowl:

The Declaration & Plea being read & the Evidence sworn, the matter depending being
left to the Wth Court, who's judgment is that action brought against the said Dyl. lies
not within the Jurisdiction of this Court and thereupon doth Ord. a Non Sub in the Case

Rowland Shephard this day made: Oath in open Court that he attended the Wth
Court on day viz. five days: for Wm Jenckins & five days for Francis Martin
in a Sub depending between them, for which this Court grants Order for the same.

Thomas Giddins this day made: Oath in open Court that he attended seven days &
an Evidence att. Wm Jenckins pth agt. Francis Martin Dyl. & five days
& giving Order granted for the same agt. the Dyl.
allowed two days for going & coming

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