

June Court 1701

John Bennett having entered into recognizance for his good behaviour & appeared at the Court last who accordingly appeared & entered into new recognizance with sufficient Sureties for his appearance at the next Court & good behaviour in the same time who accordingly entered into recognizance at which next Court viz. 25. Day of March Anno Dom. 1701 the said John Bennett appeared according to recognizance and the said John being presented by the Grand Jury & the said Sheriff was signed billa vera & the said John committed to the Sheriff's custody until his fine Sureties for his good behaviour & appearance at the next Court which the said Sheriff was framed into a bill of Indictment as followeth viz.

Kent County the Jurors for our Sovereign Lord that weise for the body of Kent County upon their oaths do present John Bennett the Sheriff called John Bennett of Kent County planter for that he the said John & force of God before his eyes not having with force & arms the Thirtieth Day of October Anno Dom. 1700 at some hundred in Kent County within the Jurisdiction of this Court fifteen yards of linen four yards of fritz three yards of tape twenty shovels of shroud tenells of house hold linen of proper goods & Challes of a certain John Oddy of five hundred pounds of God feloniously & the said John Bennett did steal & take away the said four Lord & King & forme of the act of Apomty in that case made & provided

And the said John Bennett being demanded whether he was guilty or not guilty as the above Indicted sayes he is not guilty & for small paiments upon God's Country and he who followeth for our Lord sayes he is guilty

Command was therefore given to the Sheriff of Kent County that he cause to come here and assist by whom the said who neither to recognize the said who made answer he had there ready Sureties as by his plea he was commanded viz. Thomas Wyatt forman Nicholas Major Christopher Bendor Wm. Tingley Henry Gibson Nathan. Elsau Thomas Earman Thomas Hynes Thomas Kall Thomas Ford Thomas Smith and John Bendor which Jury being duly sworn to try the Issue Joined and having heard the evidence & pleadings on both sides of the Court quitted them their charges & withdrew to consider on the premises and after some time did againe returne & being againe called over as above the said Defendant and being demanded whether the said John Bennett was guilty or not guilty as presented doo say he is not guilty & by Thomas Wyatt their forman all of them doo say and therefore it is considered by the Court here viz. 25. Day of June Anno Dom. 1701 that the said John Bennett as by the said Indictment god sheweth without day paying his fine amounting to the sum of one thousand & forty pounds of Gold.

But the said John Bennett by Michael Earle one of the Attorneys of this Court moved the Court that the said John may be cleared by Proclamation which was granted Ordered therefore that the said John Bennett be cleared by Proclamation which was done accordingly. In Witness whereof Capt. John Whittington doeth himselfe but returned suddenly