the force and Injury when &c. and pray Leave to Imparle hereunto until the next Court & they have it and the
Same day is given to the pltff also — At which Said next Court to wit the Seventeenth day of March
anno Dom One thousand Seven hundred and twenty three Came again as well the Said pltff as the Said deftts by
their attorneys aft and the Said defts by their Said attorney as before defends the force & Injury when &c. and
Say that the aft Nathaniel his action aft thereof against them the Said Joseph and Eliz. to have & maintain Ought not because they say that the Said Elizabeth
did not assume upon herself at any time within three years before the day of the Suing of the Original writt of him the Said Nathaniel
in manner and form as the aft Nathaniel by above against him Complains and this the Said Joseph &
Elizabeth are ready to verify wherefore they pray Judgmt if the aft Nathaniel his action aft thereof against them
to have and maintain Ought &c. Allen & Dofts

And the aft Nathaniel says that he by anything preallegd ought not to be precluded from having his
action aft because he says that the aft Elizabeth within three years before the Suing the writt original
of him the Said Nathaniel that is to Say the tenth day of December One thousand Seven hundred & twenty at Sandwich
County aft within the Jurisdiction of this Court did upon herself assume in manner & form as the Same Nathaniel
above against the Same Joseph and Elizabeth hath Complained and this he prays may be Inquired of by the
Country — Lewis Gale Replr — and &c Dofts Likewise (Allen)

Whereupon Command is given to the Shrff of Somerset County that Immediately he Cause to Come here twelve &c.
by whom &c. who neither &c. to recognize &c. because as well &c. of which Said precept the Said Shrff to Witt Joseph
McCloster Gentl. Now here at this day to wit the Same day and year Last mentioned makes return that he has
here ready twelve &c. as by his precept he was Commanded and Now here also came to wit the Same day & year Come
the Said pltff as the Said deftts by their attorneys aft and the Jurors of that Jury therein Impanelled being Called Likewise Came to wit Thomas Coale John Dennis Senr. John White Mariner. William
Holland, John Henderson Senr John Weems William Bratton, David Hazzard, John Patrick Junr
Adam Spence Senr, Edmond Hough William Miller who being duly Elected tryed & Sworn to Say the truth in
premises upon their Oath do Say we do find for the pltff damages five pounds Currt. money &c.

Whereupon the Said deftts by their attorney aft humbly prays the Court Justices that Judgmt may be arrested
and Stayed and that No Judgmt may be given on the verdt aft on behalfe of the aft plaintiffe. Because the
verdict aft found by the Jurors aft is Contrary to the Issue between the partys aft joyned —

Whereupon all and Singular the premisses by the Justices here Seen heard and fully understood and
Mature deliberation thereupon had it Seems to the Justices here that the verdict aft found by the Jurors
is not good and that the Same be quashed and held for Nought and that No Judgmt be given thereon for
the pltff aft &c. — Therefore it is Considered by the Justices here the Seventeenth day of
March aforesd Dom. One thousand Seven hundred and twenty three aft that the Said Nathaniel Horsey take No-
thing by the verdict aft but be in Mercy for his false Clamour and that the Said Joseph Gray & Eliz. his
wife go hence without day &c. and also it is Considered by the Justices that the Said Joseph Gray & Eliz. his
wife recover agt the Said Nathaniel Horsey the Sum of Nine hundred & Seventy Two — — —
pounds of tobo by the Court here adjudged unto them for their Costs and Charges by them about ye defence in this
behalf Said out & expended according to the form of the Statute &c —

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