

June Court 1724 200

A copy of the foregoing declaration was made and sent with the writ in the plea of

At which said third Tuesday of June to wit the thirteenth day of the same month arrived one thousand seven hundred & twenty four being the day of the return of the said writ comes the said John Banister by his attorney of and the sherr of Somerset County to whom the foregoing writ was directed Likewise comes and makes Return thereof to the Court here Endorsed in these words Vizt Copy Copy

of Jos: M^r Yorke sherr

Whereupon the said Alexander Carlyle by Francis Attenburie Attorney comes and defends the same and Jurymen when &c. and saith that he did not assume upon himself in manner or form as the said John above against him hath complained & of this he prays himself upon the Country &c.

And the Court in Litchmanor of the said County

Thereupon Command is given to the sherr of Somerset County that immediately he send to come here twelve by whom he who shall be to the said County &c. because as well &c. of which said precept the said sherr to wit Joseph M^r Yorke sends. Now hereat this day to wit the same day and year last mentioned makes Return that he hath here Ready twelve &c. by his precept lower Commanded and Now hereafter words to wit the same day and year comes as well the said Court as the said sherr by their attorney of and the Jurors of that Jury the said Jurymen being called came to wit William Handy, Joseph Houlston, Daniel Gery, Giddion Filman, Richard Phillips, William Fountain, William Hopkins, John Scarbrough, John Gillett, George Bawton, Alon^d Maddox, Mary Fountain who being duly Elected tryed & sworn to say the truth in the premises upon their Oath do say that the said Alexander Carlyle did assume upon himself in manner and form as the said John Banister above against him hath complained and do assest the damages of the said John besides his Costs and Charges to four hundred and fifty Nine pounds of tobacco, and for his Costs & Charges One pound of tobacco

Therefore it is considered by the Justices here the sixteenth day of June arrived one thousand seven hundred & twenty four that the said John Banister Recover against the said Alexander Carlyle as well the sum of four hundred and fifty Nine pounds of tobacco his damages as by the Jury as in force (1724) of assest as also the sum of ~~thirteen~~ thirteen hundred seventy eight pounds of tobacco by the Court here of his assent of increase as judged for his Costs and Charges by him about his Suit in this Behalf Laid out & expended & the doct^r in Money &c.

L^d W^m Crank } Command was given to the sherr of Somerset County that he should take Benjamin King late of Somerset County planter after should be found in his Body and him should safe keep so that he might have his Body before the Justices of his Lordship County Court of Somerset to be held at Winding Stair the third Tuesday of June next to answer unto William Crank of Exeter of the part upon the fact &c. and that there of he should not fail &c. And the said William Crank by Lewis Gale protested against the said William Crank in the plea of as follows Vizt - Somerset s^r Benjamin King late of Somerset County planter was attached to answer unto William Crank of Exeter of the part upon the fact &c. And whereupon the same William Crank

(by)