

June Court ... 1723 ... 54

of five hundred and Eighty Six pounds of tobacco and Costs of Suite against her which the Said C^{ts} does not gain say & —

Therefore it is considered by the Justices here the Eighteenth day of June Anno Domini One thousand Seven hundred and twenty three that the Said Robert Martin — Recover against the Said Naomi Stiles as well the Sum of five hundred and Eighty Six pounds of tobacco contained damages as in form aforesaid as also the Sum of Two hundred and Ninety four — pounds of tobacco by the Court here adjudged unto him for his Costs and Charges by him about his Suite in this Behalf Said Out and Expended and the debt in money & —

298
S^{rs} Mad^{ms} Betty Gale } Committed was given to the Sheriff of Somerset County that he should take Nathanael
for Nathanael Horsey } Horsey of late of County Carish in the County of Genes if he should be found in his Bailwick
and him should safe keep so that he might have his Body before the Justices of his Lord-
ships County Court of Somerset to be held at dividing the Thursday of June then next to answer unto Betty
Gale of a plea of trespass upon the Case & that thereof he should not fail & —

And whereas upon the Said Betty Gale by Betty Gale her attorney Complainis that whereas the afo^r Nathanael the tenth day of June One thousand Seven hundred and twenty two at the Carish afo^r within the Jurisdiction of this Court was indebted unto the afo^r Betty the Sum of three pounds Eighteen Shillings and One Penny for goods and wares &c and so thereof being indebted the Said Nathanael in Consideration thereof the day and year afo^r at the Carish afo^r within the afo^r Jurisdiction upon himself assumed and to the Said Betty then and there faithfully promised that he the Said Nathanael the afo^r Sum of three pounds Eighteen Shillings and One Penny to the afo^r Betty when afterwards he should be thereunto requested would well and faithfully content and pay Never the less the afo^r Nathanael his Promise and assumption afo^r in form afo^r made Little regarding but Clothing and fraudulently Intending the Said Betty in that Part to defraud and deprive of afo^r Sum of three pounds Eighteen Shillings and One Penny or any Part thereof altho' thereunto requested the tenth day of May One thousand Seven hundred and twenty three and after afterwards, to the Said Betty hath not paid or contented but the same hitherto, to pay, hath altogether refused and still doth refuse whereas by the Said Betty says she is worse and hath damage to the value of seven pounds Current money and thereof she brings this Suite & —
S^r Gale of Qu^{er}. George J^r Doe K^{ee}

At which Said Thursday of June to wit the Eighteenth day of the same month Anno Domini One thousand Seven hundred and twenty three Being the day of the return of the Said Writ Com^{er} the Said Betty Gale by Leon^{is} Gale her attorney and the Sheriff of Somerset County to whom the foregoing Writ was directed Likewise Com^{er} and make return thereof to the Court here Endorsed in these words &c —

Whereupon the Said Nathanael Horsey in his Own Proper Person appears Com^{er} and defends, the force and injury whereof and says that he cannot gain say the C^{ts} her action afo^r so as afo^r against him Brought nor can he say But that the Said C^{ts} ought to recover her damages by Quarra^{is} of the Carishes
C^{ts} Corpus of Joseph M^{rs} for the