

March 1722

Robert Martin by his attorney aft. and the Sherrif. of Somersett County to whom the foregoing writ was directed. Sheweth
Comer and maketh sheweth that he is the Count's Juror viz - George Jos. M. Boston Sherrif

Whereupon the said James Jones being called appears and thereupon the said James Jones at the
Prayer of the said attorney aft. is adjudged to give special Bail to the said Robert Martin

Thereupon a certain Alexander Carlyle of Somersett County Gentle Person being called undertakes for the
said James Jones that in case the said Robt. Martin shall recover judgment in the said action against the said James
Jones or that the said James Jones shall pay the said Alexander Carlyle the sum of five hundred and ten pounds
of the Sherrif. in satisfaction thereof or that the said Alexander Carlyle will do it for him

Whereupon the said James Jones in his own proper person comes and defends the force
and injury when c^d and says that he cannot give the said Robert Martin the sum of five hundred and ten pounds
of the Sherrif. but that the said Robert Martin ought to recover his damages by operation of the law and to the sum
of five hundred and ten pounds of tobacco and costs of suite against him which the said Robert Martin doth not give

Therefore it is considered by the Justices on the nineteenth day of March and that
One thousand Seven hundred and twenty two that the said Robert Martin recover against the said James
Jones the sum of five hundred and ten pounds of tobacco and costs of suite as in form aforesaid as also
the sum of two hundred and thirty one pounds of tobacco by the said Court as aforesaid as also
costs of suite and charges by him about his suite in this behalf laid out and expended and the
cost in money

The same
John Barkley } Command was given to the Sherrif. of Somersett County that he should take John Barkley of Streyney
Barish in Somersett County Gaunter 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 Lordship's County Court of Somersett to be held at
Diving Creek the third Tuesday of March then next to answer unto Robert Martin of a plea of trespass
upon the case c^d and that he should not fail c^d And whereupon the said Robert by his
attorney complains that whereas the said John the thirteenth day of November Anno. Dom. One thousand
Seven hundred and twenty two at Barish and County aft within the Jurisdiction of this Court was indebted
unto the said Robert in five hundred and eighty eight pounds of tobacco for Lewis Sherrif. poor and publick duties
and for the same the said Robert then and there due charging and unpaid as by an answer thereto
presented and read in Court appears and being so the said John in consideration thereof
aforesaid to wit the day and year aft at the place aft in consideration thereof upon himself did assume and
to the said Robert then and there did faithfully that he the said John the aft five hundred and eighty eight
pounds of tobacco to the said Robert when he should be aforesaid. the same he requested he would well
faithfully pay and content and all the said John One hundred pounds of tobacco of the aft
five hundred and eighty eight pounds of tobacco to the said Robert he hath paid and satisfied yet as
to four hundred and eighty eight pounds of tobacco beside of the aft five hundred and eighty eight
pounds of tobacco the said John his promise and assumption aft in form aforesaid subtlely and craftily
and fraudulently intending the said Robert in that Court craftily and subtly to deceive
and defraud the aft four hundred and eighty eight pounds of tobacco to the said Robert he hath not
paid