

March Court --- 1725 --- 101
 took the third Tuesday of March then next to answer unto Joseph McCarter of plea of the gas upon the case &
 and that these of his should not fail &c.

And whereupon the said Joseph by Lewis Gale his attorney Complaineth that whereas the said
 Dicklow Beck the thirteenth day of November and Dow. One thousand Seven hundred and twenty four at Som-
 erset County of within the Jurisdiction of this Court was indebted unto the said Joseph in six hundred &
 fifty eight pounds of tob. for Levies Sheriffs and Publick dues the said Joseph the said there due-
 owing and unpaid as by award. Whereof hereunto annexed may in Court appear and being so the said Dicklow
 the said Dicklow Beck in consideration thereof afterwards to wit the same day and year as at the place as-
 upon himselfe did promise and to the said Joseph then and there did faithfully promise that he the said six
 hundred and fifty eight pounds of tob. to the said Joseph when he should be afterwards thereunto requested
 he would well and faithfully pay and content Never theles the said Dicklow Beck his promise & assumption
 of inform a more little regarding but plotting and fraudulently intending the said Joseph in that part-
 licularly & subtilly to deceive and defraud of six hundred and fifty eight pounds of tob. to the said Joseph he
 hath not paid or to him for the same in any wise contented altho the same to do the said Dicklow Beck
 by the said Joseph on the first day of August and Dow one thousand Seven hundred and twenty five
 and often afterwards at County of within Jurisdiction he was thereunto requested by name
 to him to pay or in any wise to content he the refused and still doth refuse and deny Whereupon
 the said Joseph says he is worse and hath Damage to y. value of thirteen hundred & sixteen pounds of
 Tobacco and thereupon he brings this Suite &c

1722	Dicklow Beck	242	# Contra	
	To 2 Levies ..	141		
	To 1 Levie	100		
	To 2 Levies . 289	178	Saving Errors of Jos: McCarter	
	To Mr. Soutermans fee	85	Durat Incuria . Tho Hayward	
		<u>658</u>		

A Copy of the foregoing declaration and award was made and sent to be served on the deft with the
 writ in the plea of &c. At which said third Tuesday of March to wit the fifteenth day of the
 same month and Dow. One thousand Seven hundred and twenty five being the day of the return of
 the said Writ Cometh the said Joseph McCarter by his attorney and the Sherif of Somerset-
 County to whom the foregoing writ was directed Likewise Cometh and maketh Return thereof to the
 Court here endorsed in these words following viz: None of Inventus of Fran: Allen Sherif

Whereupon the said Joseph McCarter by Lewis Gale his attorney and Gray that forasmuch
 as he hath complied with the Law in order to an attachment he may have Judgment against the
 Dicklow Beck for his damages and by way of attachment according to act of assembly &c. Whereupon
 for that it seems to the Court here that the said Joseph McCarter hath complied with the Law as
 alleged -

Therefore it is considered by the Justice here the fifteenth day of March and
 Dow. One thousand Seven hundred and twenty five that the said Joseph McCarter Recover ag-
 the said Dicklow Beck as well the Sum of six hundred and fifty eight pounds of tob. his damage
 by Omission of the Levies and as all costs and charges by the said Joseph paid out and expended
 about his Suite by way of attachment against goods Chattels Rights and credits of the said Dicklow Beck according
 to act of assembly in such case made and provided &c.