

trespass upon the Case & and that there of he should not find &c.

Att which said third Tuesday of November to witt the fifteenth day of the same month and Doon One thousand Seven and twenty six being the day of the return of the said writ Cometh the said Thomas M^r Foster in his proper person and the Sheriff of Somerset County to whom the foregoing writ was directed Likewise Cometh & maketh the return thereof to the Court here Endorsed by the said Sir John Allen Chief Justice

Whereupon the said Edward Coleman in his own proper person Cometh and Defends the force and Injury which he doth offer himself against the said Thomas M^r Foster in the plea of ~~assault~~, but the said Thomas altho' solemnly called Cometh not nor in his writ in the plea of ~~assault~~ against the said Edward Coleman further prosecuted &c.

Therefore it is considered by the Justice here the fifteenth day of Novemb. and Doon One thousand Seven hundred and twenty six that the said Thomas M^r Foster and his pledge of Prosecuting be in mercy & and lett the Names of his said pledge, be sought for & and that the said Edward Coleman recover hereof without day - and further, by the Court here it is considered that the said Edward Coleman Recover against the said Thomas M^r Foster forty three pounds of toll for his Costs and Charges about his defence by him in that part Sustained, to the same Edward by the Court here adjudged according to the form of the Statute thereof lately made & provided adjudged and that the same Edward have thereof Execution &c.

Wm. Southey, Esq. and Hannah Whittington Esq. of the County of Dorset who was Esq. of the County of Dorset

Somersetts Thomas Browne late of Somerset County Esq. - ad. dicit. Thomas Browne Esq. of Somerset County Esq. - promise aforesaid was summoned to answer into

pro Thomas Browne

William Southey Esq. and Hannah Whittington Esq. of the County of Dorset will and testament of William Whittington Esq. late of the County of Dorset who was Esq. of the County of Dorset will and testament of Thomas White late of the same place Esq. of Dorset that he tender unto the said Thomas Browne two hundred fifty three pounds of good sound merchantable Spanish m^r in Cash which from them he is justly Detain'd &c.

And Whereupon the same William Southey Esq. and Hannah by their atty say that whereas the said Thomas the tenth day of March and Doon one thousand Seven hundred & sixteen Eighteen at Somerset County and within the Jurisdiction of this Court by his certain Writing Obligatory, which the same Wm. Southey