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in the Sum of forty bushels of Indian Corn as by note by the same Thomas signed in Court herewith produced may appear and so thereof being indebted the said Thomas in Consideration thereof afterwards viz. the same day and Year and at the County and within the said Jurisdiction upon himself assumed and to the same Ebenezer and Benjamin Handy and there forth: fully promised that he when afterwards he should be thereto required he the said Sum of forty bushels of Indian Corn to the same Ebenezer and Benj<sup>d</sup> would well and faithfully Content and pay Nevertheless the said Thomas his promise and assumption in form and made not regarding but plotting and fraudulently Intending them the same Ebenezer and Benj<sup>d</sup> in that part Craftily and Subtly to deceive and defraud the said Thomas the said Sum of forty Bushels of Indian Corn or any Part thereof to the same Ebenezer and Benj<sup>d</sup> he hath not paid altho' the same to do the said Thomas afterwards viz. the same day and year aforesaid at the County and within the said Jurisdiction by the same Ebenezer and Benjamin Handy was requested but the same hath to do hath altogether refused and will doth refuse whereby the same Ebenezer and Benj<sup>d</sup> say they are worse and have damage to the Value of Eighty Bushels of Indian Corn and thereat they bring this Suit vs. Ebenezer & Benj<sup>d</sup> Koe. -

And the said Thomas Hearn by James Allen his attorney Cometh and defendeth the force and Injury when vs. and pray Leave to Impare hereunto under the next Court and they he hath it and the same day is given to the said Ebenezer here also vs.

All which said next Court to wit the seventeenth day of June and Dowd One thousand seven hundred and Twenty Nine came again as well the said Ebenezer Handy and Benj<sup>d</sup> Handy by their attorney and as the said Thomas Hearn by his attorney and thereupon the said Thomas Hearn by his said attorney prayed further Leave thereof to Impare hereunto under the next Court and he hath it and the same day is given the said Ebenezer here also vs.

All which said next Court to wit the Nineteenth day of August and Dowd One thousand seven hundred and twenty Nine came again as well the said Ebenezer and Benjamin Handy by their attorney and as the said Thomas Hearn by his attorney and whereupon the said Thomas Hearn by his said attorney as before defendeth the force and Injury when vs. and saith that he did not assume upon himself in manner and form as is set forth in their declaration against him hath complained and of this he putteth himself upon the Country vs. and is set forth likewise vs.

Thereupon Command is given to the Sher. of Somerset County that immediately he cause to come here twelve vs. by whom vs. who neither vs. to recognize vs. because as well vs. of which said Receipt the said Sher. to wit John Burnale Gent. Now hereat this day to wit the same day and Year last mentioned makes return that he hath here ready twelve vs. as by his said precept he was Commanded and now hereafterwards to wit the same day and Year came as well the said Ebenezer as the said Benj<sup>d</sup> by their attorneys and the Jurors of that Jury therein

Impounded