

August Court - 1729 - 210

Imparalled being called likewise came to wit Thomas Lewis, Francis Lincaster, John Norton, James Jones, John Townsend Junr, Nathaniel Holland, John Webb, John Huet Muller, Robert Watson, Samuel Taylor Samuel Hopkins Junr. John Shoukley who being duly elected tryed and sworn to say the truth in the premises upon their oath do say that the aff Thomas Hearn did not assume upon himself in manner and form as the aff Ebenezer and Benjamin Handy above against him have complained &c

Therefore it is considered that the aff Ebenezer and Benj^d Handy take nothing by their writ and declaration but be in mercy for their false Comon and that the aff Thomas Hearn goe there of without day &c and further it is considered that the aff Thomas Hearn Recover against the aff Ebenezer and Benj^d Handy's 932 Three hundred & thirty Two pounds of tenn. for his cost and charges by him about his defence in that part expended to the same Thomas Hearn by the Court here of his cost according to the form of the Statute in such case lately made and provided ad judged and the aff Tho^s have there of possession &c

Ly. George Tule } Command was given to the Sher. of Somerset County that he should be bound
age } Take Griffin Thomas late of Somerset County Esquire if he should be bound in his bailly
H. Griffin Thomas. } with and him should safe keep so that he might have his body before the Justice of
his Lordship's County Court of Somerset to be hold at dividend next the third Tuesday of June then next to
answer unto George Tule of age of her gap upon the case &c and that thereof he should not fail &c
att which said third Tuesday of June to wit the seventeenth day of the same month and Dow One
thousand seven hundred and twenty Nine being the day of the return of the said Writ Cometh the said
George Tule by Lewis Gale his attorney and the Sher of Somerset County to whom the foregoing writ was
directed Likewise Cometh and maketh Return hereof returned in these words following viz
Exi Regis of the Summable

AND the aff Griffin Thomas by Francis Allen his attorney comes and defends
the force and injury when the said George Tule leave to Judge hereunto unless the Court and he like
it and the same day is given to the aff Ebenezer also &c

AND which said next Court to wit the nineteenth day of August and
Dow One thousand seven hundred and twenty Nine Cometh the aff Griffin Thomas by his attorney
& the aff George Tule then and there his writ aff against the aff Griffin Thomas did not prosecute
with effect but voluntarily permitted his Suit to be discontinued

Therefore afterward to wit the same day by direction of the Justice here were ad judged
250 to the same Griffin Thomas Two hundred & fifty pounds of tenn. for his cost and
charges by him about his defence in that part sustained according to the form of the Statute in such case lately
made and provided and that the aff George Tule be in mercy and that the aff Griffin have there of possession &c

H. Francis Mercer } Somerset sh.
Philip Taylor } was attached to answer unto Francis Mercer of age of her gap upon the case
and whereupon the said Francis Mercer by Francis Allen his attorney complains
that whereas the said Philip the twentieth day of December and Dow One thousand seven hundred and
twenty