

At the which said next Court to witt the Seventeenth day of November and Dowd One thousand Seven hundred and thirty one came againe the aforesaid John Riggini by his attorney aforesaid, and whereupon the same John Bosten altho' solemnly called Cometh not nor in his witt aforesaid further prosecuted against the said John Riggini.

Therefore it is Considered that the aforesaid John Bosten and his pledges offfredencing be in mercy and that the p^lth name his pledges &c and that the aforesaid John Riggini goe thereof without day &c and also it is Considered that the aforesaid John Riggini recover against the aforesaid John Bosten his Damages by Ousion of the premises to

1391 at his request for his costs and Charges in that part Sustained according to the form of the Statute therof lately made and provided by the Court here adjudged &c.

Edw. Edward Beachamp

Somerset County Jst

agt.

vs. Thomas Newbold

Thomas Newbold Late of Somerset County planter was attached to answer unto Edward Beachamp of a plea of trespass upon the case &c

And whereupon the said Edward by Francis Allen his attorney Complaines that whereas the said Thomas the Eighteenth day of July and Dowd One thousand Seven hundred and thirty at Somerset County afo within the Jurisdiction of this Court was indebted unto the said Edward in Six hundred Sixty Seven pounds of tobacco as by a certain note by the said Thomas signed dated the day and year aforesaid and herunto annexed may in Court appear and being so therof indebted the said Thomas in consideration therof the day and year aforesaid upon himselfe did assume and to the said Edward then and there did faithfully promise that he the said Thomas the said Six hundred Sixty Seven pounds of tobacco to the said Edward when he should be therunto Requested he would well and faithfully pay and Content Nevertheless the said Thomas his promise and assumption aforesaid in form aforesaid made nothing regarding but plotting and fraudulently Intending the said Edward in that part Craftily and Subtily to deceive and defraud the said Six hundred and Sixty Seven pounds of tobacco to the said Edward altho' the same to doe the said Thomas by the aforesaid Edward on the aforesaid Eighteenth day of July in the year aforesaid and often afterward at Somerset County aforesaid within the Jurisdiction aforesaid he was therunto requested hath not paid or to him for the same in any sort contented but the same to him hitherto to pay or in any sort to Content hath refused and will doth refuse and deny whereupon he saith that he is worse and hath damage to the value of twelve hundred pounds of tobacco and thereupon he brings suit &c.

Edw. Allen Jst Quod. pledges deff. vs. Doe & Roe

And the aforesaid Thomas Newbold in his own proper person Cometh and defendeth the force and Injury when &c and says that he cannot gain say the action aforesaid of the aforesaid Edward, nor but that he assumed upon himselfe in manner and form as the aforesaid Edward above against him hath Complain'd and as to the damage of the same Edward by him by Ousion of the premises in that part Sustained the same Thomas saith and Confesseth that the said Edward has sustained Damages by Ousion of the premises beyond his costs and Charges by him about his Suit in that part aforesaid to Six hundred and