

his Lordships County Court of Somerset to be held at Durdin Bridge the third Tuesday of November next to answer unto John Burnale of plea of his paper upon the facts and that there of he should not fail.

At which said third Tuesday of November to with the sixteenth day of the same month and Dowd One thousand Seven hundred and thirty One came the said John Burnale by Francis Allen his attorney and the Just. of Somerset County to whom the foregoing writ was directed Likewise came and made return thereto to the Court there endorsed in these words following *Exi Corpus ff Joshua Caldwell Just.*

Whereupon the said Benjamin Sharpe being called appears and thereupon the said Benjamin Sharpe at the prayer of the said John Burnale by his attorney aforesaid is adjudged to give special bail to the action aforesaid but for want thereof the said Benjamin Sharpe is committed in to the custody of the Just. of Somerset County there to remain &c. the said Just. to with Joshua Caldwell your present clerk in Court took charge of the said Benjamin Sharpe accordingly, thereupon day is given by the Court thereunto to the said Benjamin Sharpe in custody as aforesaid until next Court and the same day is given to the said John Burnale there also.

At which said next Court to with the twenty first day of March and Dowd One thousand seven hundred and thirty One came again as well the said John Burnale by his attorney aforesaid as the said Benjamin Sharpe in custody as aforesaid, and thereupon further day is given to the said Benjamin in custody as aforesaid until next Court and the same day is given to the aforesaid John there also.

At which said next Court to with the twentieth day of June and Dowd One thousand seven hundred and thirty Two came again as well the aforesaid John Burnale by his attorney as the said Benjamin Sharpe in custody as aforesaid, and the said John Burnale by his said attorney complained against the said Benjamin in custody as aforesaid in the plea as follows &c. vizt.

Somerset J. Benjamin Sharpe Late of Somerset County Shipwright was attached to answer unto John Burnale of plea of his paper upon the facts &c.

And whereupon the said John by Francis Allen his attorney complains that whereas the said Benjamin the first day of December and Dowd One thousand seven hundred and thirty at Somerset County within the Jurisdiction of this Court was indebted unto the said John in One thousand two hundred and Seventy pounds of for so much by the said John for the said Benjamin to sundry persons to and for the use of the said Benjamin before that time deposited and paid as by an and thereunto annexed may in Court appear and being so there of indebted the said Benjamin in consideration thereof the day and year aforesaid at Somerset County aforesaid within the Jurisdiction aforesaid upon him self did assume and to the said John then and there did faithfully promise that he the said Benjamin the said One thousand two hundred and Seventy pounds of shillings to the said John when he should be afterwards thereunto Requested he would well and faithfully pay and Content Notwithstanding the said Benjamin his promise & assumption aforesaid in form aforesaid made nothing regarding but plotting and fraudulently - Intending the said John in that part fully and Subtly to deceive and defraud the said John