

August Court ---- 1732 ---- 28... 298---

thous and two hundred and Seven pounds of tobacco to the said John altho' the same to do the said Benjamin by the said John on the aforesaid first day of December in the Year aforesaid and often afterwards at Somerset County aforesaid within the Jurisdiction aforesaid he was thereunto requested hath not paid or to him for the same in any sort Contented but the same to him with intent to pay or in any sort to Content. hath refused and Thet doth refuse and deny whereupon he is worse and hath damage to the value of ^{two} thousand four hundred pounds of tobacco & thereupon he brings this Suite &c. ---

Eldges de. J. Doe
Rich. Roe ---

1728: Benjamin Sharpe D to John Burnale Late flor ---

To Mr Thomas Hayward Esq. fees - - - - - 14

To Geo Levin Gale fees - - - - - 300

1729 To 3 Levies D 119 - - - - - 357

To 9 Squires - - - - - 18

To Mr Thomas Hayward Esq. for J. W. Hobbs - - - - - 93

To do for your wife Mary - - - - - 7

To the Interest of do - - - - - 54

1730 To 5 Levies D 76 - - - - - 980

To 15 Sqrs: - - - - - 30

To Mr Thomas Hayward Esq. - - - - - 14

1207

A copy of the foregoing declaration and amount, were made to be served on the said Benjamin in custody as aforesaid, and 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 Burnale here also ---

At which said next Court to wit the fifteenth day of August and Dow. One thousand Seven hundred and thirty two came againe as welle the aforesaid John Burnale by his attorney aforesaid as the aforesaid Benjamin Sharpe in custody as aforesaid, and thereupon the said Benj^r as before defends the force and injury whereof and says that he did not assume in manner and form as the said John Burnale and from a showing John above against him hath declared and of this he puts himself upon the Country. and the pth Likewise ---

Whereupon the aforesaid Benjamin Sharpe, is discharged by the aforesaid John Burnale from the Commitment aforesaid. Thereupon the said Benjamin Sharpe Relinquisheth his Verification aforesaid by him above presented and Says that he cannot say the action aforesaid of the the aforesaid John nor but that he did assume upon himself in manner and form as the aforesaid John above against him Complain'd and as to the damage of the same John by him by Omission of the premises in that part Sustained the same Benjamin Saith and Confesseth that the aforesaid John Sustained damages by Omission of the premises beyond his Costs and Charges by him labored

Errors Excepted

J. Burnale flor