

March Court ... 1730 70

1729 Mr. Benj^m Sharp £
Oct. 30 To 4 Hatts. d. of £
+ Co. 15 To 2 p^{rs}. w^orted Stockins d. of £
12 00
16 00

9th the 6: 1730 Errors Excepted of John Stewart

The above and Part to in by you Court.

And the sd Benjamin Sharp by James Shirley his attorney comes and defends the force and injury when he and prays Leave thereof to Impare his writs untill the next Court and he hath it and the same day is given to the aforesaid party hereto also

At the which said next Court to wit the Seventeenth day of November and Dowd. One thousand Seven hundred and thirty came againe as well the sd John Stewart as the sd Benjamin Sharp by their attorneys and wherupon the said Benjamin prays further Leave thereof to Impare his writs untill the next Court and he had it and the same day is given to the aforesaid John hereto also

At the which said next Court to wit the Sixteenth day of March and Dowd. One thousand Seven hundred and thirty came againe as well the aforesaid John Stewart as the aforesaid Benjamin Sharp by their attorneys aforesaid and wherupon the same Benjamin by his said attorney as before defend the force and injury when he and saith that he did not assume upon himself in manner and form as the aforesaid John Stewart above against him hath declared and of this he puts himself upon the country etc and so pass in Libermanor

Wherupon Command is given to the Sher of Somerset County that immediately he cause to come twelve £. by whom he who neither he to recognize he because as well as of which said precept the said Sher. to wit John Furnale Esq. hath now had to wit the same day and year last mentioned makes Return that he hath now ready twelve £. as by his said precept he was Commanded and now hereafterwards to wit the same day and year came as well the sd John as the aforesaid Benj^m by their attorneys and the Jurors of that Jury thersin Impannell'd being called Likewise came to wit James Rownd, William Jones, Thomas Rayley, Isaac Marshale, Edward Franklin, John Holland, John Townsend Esq., William Right, Thomas Gains, Daniel Boyce, James Houston, John Webb who being duly elected tryed and Sworn to say the truth in the premises upon their Oath do say that the sd Benjamin Sharp did not assume upon himself in manner and form as the aforesaid John Stewart above against him hath Complain'd

Therefore it is considered that the aforesaid John Stewart take nothing by his writ and declaration as but be thereof in mercy for his false Rumour and that the said Benjamin Sharp Goe thereof without day etc and further it is considered that the aforesaid Benjamin Sharp Recover against the said John Stewart Six hundred and Eighty seven pounds of costs and Charges by him about his defence in that part sustained to the same Benjamin by the Court here of his absent ad judged according to the form of the Statute in such case lately made and provided and that the sd Benj^m have thereof Execution

Joshua Ward } Somerset County s^r. Henry William Late of Somerset County planter was attached to
Henry Williams } answer unto Joshua Ward of a plea of trespass upon the Case etc
And the said Joshua Ward by Francis Allen his attorney complains that wher as the said Henry the thirtieth day of October at Salem in new England viz at the County of Somerset within