

March Court - - - - 1734 - - - - 4

Somerset to be held at dividing Creek the third Tuesday of March then next to answer unto John Cooper of a plea of trespass upon the case & that thereof he should not fail &c.

All which said third Tuesday of March to wit the eighteenth day of the same month Ann. Dom. One thousand Seven hundred and thirty four being the day of the return of the said writ Cometh ^{the said} John Cooper by his attorney ^{at} and the Sher of Somerset County to whom the foregoing writ was directed likewise Cometh and maketh return thereof to the Court here. Endorsed in these words following vizt - - - - Cape Corpus - - - - of Joseph M. Cester Sher

Whereupon the said Daniel Kineyqui in his own proper person appears and thereupon the said Daniel Kineyqui at the prayer of the said John Cooper by his attorney is adjudged by the Court here to give speciall bail to the action aforesaid but for want thereof the said Daniel Kineyqui is committed into the custody of the sheriff of Somerset County there to remain &c. the said Sheriff to wit Joseph M. Cester held present here in Court took charge of the said Daniel Kineyqui -

Accordingly &c. And afterwards came before the Court the said Daniel Kineyqui in custody as aforesaid in his proper person and defends the force and injury when &c. and says that he cannot gainsay the action aforesaid of the said John nor can he say but that he did assume upon himself in manner and form as the said John above against him hath complained and as to the

Damage of the same John by him by occasion of the premises in that part sustained the same Daniel saith and Confesseth that the said John hath sustained Damages by occasion of the premises beyond his Costs and Charges by him about his suit in that part apposed to Seven pounds four Shillings and Eight pence Curr. money and not more and becaus the aforesaid John deny's not this but the same allegation Confesseth to be true pray's Judgment and those Damages above Confessed toge: ther with his Costs and Charges aforesaid to him to be adjudged &c.

Therefore by Consent of the parties aforesaid it is Considered that the said John Cooper recover against the said Daniel Kineyqui his Damages aforesaid to the said Seven pounds four Shillings and Eight pence Curr. money in form aforesaid Confessed as also two hundred and twenty three pounds of tobacco for his Costs and Charges aforesaid to the same John by the Court here and Consent of the parties aforesaid adjudged and the said defend. in mercy &c.

His Lordship - - - Somerset County sh. The Jurors for the right honourable the Lord/prov. of that now is for the body of Somerset County aforesaid upon their oath do present - - - that William Walton Jun. late of all hallow's parish in the County of Glouster the