

Richard Haines. [*Attested*] Burlington Thomas Scattergood and James Satterthwaite but James serves for Abraham Bickley.

[*Court order for granting licenses*] The Bench order that from hence forward no Justice or Justices shall give any license to any person within this County (Burlington Towne Excepted) in any Private Manner or any other wayes then in the Quarter Sessions held at Burlington, that is to say for selling of Strong liquors.

Court Adjourned for two houres.

[153 1697] Post Meridie The Court of Pleas opened, the Quarter Sessions Adjourned for one hour longer.

James Read plaintiff John Rudroe defendant Thomas Gardiner by a letter of Attorney read and Approved in Court Appears for James Reade. The Plaintiff and defendant Called and Appeare the declaration read wherein the plaintiff declares for fifty pounds upon bond, the defendant pleads satisfaction. The Jury Attested heare the Cause receive their Charge and goe out together, they are out a while and returne, and say they are Agreed of their Verdict and find for the Plaintiff James Reade four pounds and seaven shillings with Costs of Suite. Judgement Awarded. The Plaintiff by Thomas Gardiner Graves Execution for the four pounds and seaven Shillings the defendant (having paid and promised to pay the Cost of Suite) which was granted to be Issued out when the said plaintiff requires it.

John Scott plaintiff Jacob Perkins Junr. defendant withdrawne.

William Wood plaintiff Thomas Greene defendant withdrawne.

Mary Ewer plaintiff John Test Defendant withdrawne.

Bridgett Guy plaintiff Thomas Williams defendant Continued.

The Court of Pleas dissolved.

the Court of Quarter Sessions opened Againe. the Grand Jury returne and bring in some presentments nott materiall to be recorded.

[*Court order*] The Justices with the Concurrence of the Grand Jury order that a Tax be laid on this County after the Manner of last County Tax.

the Sessions Adjourned till next morning. the 22nd day the Court opened.

[*The Treasurer gives up his Accounts*] Peter Fretwell Treasurer for the County of Burlington Exhibited to this Court his Accounts in what he hath received of the Countyes money in the last County Tax and likewise his disbursements in paying the County debts, And his Accounts were by the Court Approved on, And upon the Adjusting of the same the ballance was eighteen Shillings due to the County and in the said Treasurers hands now for the Countys use, And the said Peter Fretwell shall nott be liable to any further Stating of his Accounts for the said Tax only the eighteen Shillings Aforesaid.

Court Order That the Constables of Maidenhead shall Summons in twelve Sufficient Men of the same Towneship such as the Constable shall see

meet and Expedient for the laying out a Kings Highway through the said Township to begin at the partition line of the two provinces West and East Jersey thence along to Assinpinck Creeke, the said Constable making returne of the said twelve Mens or the Major partes proceedings in the Same, to the Next Court of Quarter Sessions to be holden at Burlington.

Court order that any three Justices out of Sessions may signe the Warrants that are to be Issued out for the County Taxes raising.

Court of Sessions dissolved.

[154 1698] Court of Quarter Sessions held the ninth day of May 1698 at Burlington. Francis Davenport, William Biddle, Peter Frettwell, John Hollinshead, John Adams Justices on the Bench. post Meridiem Mahlon Stacy Justice Comes on the bench. the Grand Jury Anthony Elton, Roger Parks, William Hickson, William Pancoaste, Thomas Foulke Junr., Timothy Hancocke, Benjamin Field, Gervas Pharo, John Hudson, Benjamin Moore Junr., Joseph Croft, Henry Ballenger, John Woolston Junr. Attested.

Thomas Billingham an evidence for John Powell on the behalf of the King Against Anne Reeves Attested and sent to the grand jury.

John Hollinshead Burgess of the Towne of Burlington Exhibited to the Court four Recognisances from ordinary Keepers, (viz) from Henry Grubb Thomas Kendall George Williss and Elizabeth Basnett and their Sureties And were by the Court Approved on and ordered to be Kept on file by the Clerke.

The Constable of the Township of Northampton saith he hath Executed the Warrants for the provinciall and county Taxes and Joshua Humphreys was Chosen Collector for the said Taxes.

Abraham Bickley Collector of the Provinciall and County Taxes in the Towne of Burlington being sent for and is by the Court Examined what he hath in Collecting the said Taxes he Acknowledges he had nott yett Collected them but promised the Court that he would Speedily and pay inn the same to the treasurer, and desires the Court would remitt his former Transgression, And the Court say theyle Consider on it.

The Court of Common Pleas opened. The court Adjourns till two a Clocke in the afternoon. Post Meridem the Court of Quarter Sessions opened. Traverse Jury Thomas Eeves, John Browne, William Hunt, Thomas Renshall, William Satterthwaite, John Haines, Richard Bickam, Thomas French Junr., Mordecai Andrews, Joseph Smith, Obadiah Hierton Robert Chapman.

Anne Reeves the Wife of John Reeves bound by Recognisance to this Sessions. A Bill Against the said Anne sent to the Grand Jury they returne the same Billa vera.

The Prisoner Arraigned and upon her Arraignment pleads nott guilty, And refers her self to God and the Countrey for tryall.

The Jury Called, the Prisoner required to view them as they are Called

and make her Exceptions Against them, if she please; She makes no Exceptions of any, the Jury Attested. the Indictment Reade.

Thomas Billingham an Evidence for the King Attested and deposeth that on the day mentioned in the Indictment he the said deponent was in the field and the said Anne Coming home haled him, but the deponent not Coming Immediately She the said Anne went and putt up her horse, And when she Came backe the deponent mett her, at the doore And went into the house with her, and after a little time the said Anne desired the deponent to goe and give the horse some Meate, which the deponent did, and after wards Came into the house againe, and the said Anne Askd him whether there was any Rumme in the house the deponent replied there was, Then the said Anne Askt the deponent to milk the Cow and she would make some Milk punch, and Accordingly the deponent did, and when the deponent came in the said Anne Askt him for the Broome he replied twas in the Chamber she bid me fetch it, so he went to goe up Staires and hee see the doore only fast with a bolt went up two or three Stepps, and the said Anne Seeing him goe up readily Askt [155 1698] the deponent whether they left the doore soe, the deponent replied he thought it was as John Powell left he thought, then the said Anne replied said Ile warrant the Indians have been here and broke open the doore, (which was before She came to the doore) And afterwards she Cryed Ile warrant John Powells Money is gone, and she and the deponent went into the Chamber and she bid him looke into the Chest and see whether the Money was there, and shee bid him pull out the drawers in the Chest and see for itt, but when the deponent and Anne Saw noe Money, she said againe that Ile warrant John Powells money is gone, And further the deponent saith he believes the doore of the Chamber was broke open, and further saith nott.

The Jury receive the Charge and goe out together, the Jury returne, the said Anne the Prisoner Sett to the Barr, the Jury being Askt whether they were Agreed of their verdict they replied yes, and by their Foreman Thomas Eeves say they find the said Anne Reeves not guilty.

Sarah Bainbridge the wife of John Bainbridge being bound to Appeare at this Sessions she Accordingly Appeares, And the King's Attorney pleaded the King's witnesses were nott ready, the Court Continue her upon fresh baile till the next Session and have put her into the Sheriffes Custody till she give Security for the Same.

John Bryarley Constable of Maidenhead bein Asked by the Court what he hath done in the Execution of the Warrants for the late provinciall and County Taxes, he replied he warned in the Inhabitants of the said Towne upon a Certaine day and the Major parte of them mett, but they did nott proceed Any further in order to Choose Collectors or to Any other Matter relating the said Taxes According as they were required by the Tenour of the said Warrants, whereupon the Bench fine the Inhabitants of the said

Township the summe of one hundred pounds for their default therein, but mitigated and restricted to the Summe of ten pounds upon Condition only their respective Taxes both provincially and County be paid in a months Time from the present day.

John Snape Constable of Springfield being Askt what he did in the Execution of the Warrants for the provincially and County Taxes last putt out, to which he replied, he did summons in all the Inhabitants of the said Towne to a certaine place According to the tenour of the warrants, And further saith that a Certaine part of the Inhabitants Complied with the warrants (whose names are returned by the Constable and would have Chosen Assessors and a Collector for the levying and Collecting the said Taxes but they being lesser parte of the said Inhabitants were overvoted by the Major parte, and soe could nott Proceed According to the method prescribed in the warrant yet they say they have their Money ready, and will pay the same to the Treasurer And whereas the Major parte aforesaid (whose Names are likewise returned by the Constable) did refuse and Neglect to proceed According to the Method prescribed in the said warrants and have nott paid their respective Taxes, whereupon the Bench fine them fifty pounds but Mitigated and restricted to the Summe of ten pounds upon this Condition only that they pay their respective Taxes in a Months time from this present Court.

Court order Peter Fretwell Treasurer of the County of Burlington to pay the Grand Jury thirteen Shillings for this present Service.

John Bryarley returns a Court order granted last Session held at Burlington for the laying out a Kings high way from the partition line of East and West Jersey to Assinpinke Creeke (viz) Beginning on the said line at Yorke old Roade at the Corner of Joseph Worths land, thence to the eight Mile Runne, thence through Jonathan Daviss his land Improved and Inclosed, thence over the Six mile Runne through Theophilus Phillips land, thence over severall Mens lands and over Thomas Smiths land to the five mile Runne thence over Mahlon Stacys land to Assinpink Creek near the Mill of Mahlon Stacy.

Our Sovereigne Lord the King William the third over England etc. and the Honourable Andrew Hamilton Governour and Edward Hunloke Esqr. Plaintiffs William Righton Junr. defendant Action of debt the Sheriff saith non cst Inventus.

Peter Resnier plaintiff John Curso defendant Action upon the Case withdrawne.

Nathaniell Westland Merchant Plaintiff James Wills defendant Action upon the Case withdrawne.
Court dissolved.

[156 1698] ⁴⁰ Court of Sessions and court of Pleas held at Burlington, August the 8th 1698. Justices on the Bench John Tatham, Thomas Revell,

⁴⁰ Different handwriting.

Nathaniell Westland, George Deacon, William Emley, Thomas Bibb, Anthony Elton, Joshua Ely, Michaell Newbold, John Test. Grand Jury Roger Park, John Hutcheson, Moses Petit, Robert Pierson, William Hixson, Henry Beck, Richard Fennimore, John Rudderow, Bernard Lane, Robert Wheeler, Abraham Brown Junior, John Bainbridge, Obadiah Hierton. Traverse Jury John Hammell, Ralph Hunt, Samuell Vaus Senior, Richard Ellison, Joshua Newbold, Benjamin Jones, John Hilliard, James Sherwin, William Foster, John Hancock, Daniell Sutton, Edmund Steward.

The court opened. A Return made by John Hollinsheade Special coroner pro hac vicetantum made to the Court of the verdict of a Jury by him Impannell'd June the 21th 1698 for the viewing of the body of Joshua Buddin Son of William Buddin Who was Drowned accidentally and their doings were approved of by the Court.

The court adjourns for two hours. The Court opened post meridiem. The grand Jury being call'd over and some Sworn and the rest Attested went out, and Soon after Return and presented a petition that Peter Fretwell the late treasurer might be called to an account for the Money which he received of the county Wherewith the bench concurs and appoint Nathaniell Westland Thomas Revell John Tatham George Deacon Thomas Bibb and Daniell Leeds to audit the Account. The grand Jury go out againe having recommended to them by the Bench to enquire and inspect if they can find of any that have profaned the Sabbath day By fetching up wild horses thereon and two persons (viz) Richard Ridgway and Ralph Hunt being Attested to declare their knowledge in that affair were Sent to the grand jury, and Emanuell Smith is presented to the jury upon Suspition of having clipt the coine current Within this Province. The grand Jury come againe into Court and return that they cannot find the bill against Emanuell Smith for want of Evidence And that they cannot find of any that had lately prophaned the Sabbath day by fetching up of Wild horses thereon of which as is aforesaid they were charged by the bench to enquire.

Jacob Ong appeared in court to answer to a complaint against him for riding on gallop in the fair time Betwixt the Market house and the water Side and affront offered to the Constable wherewith he was charged But no person appearing to prosecute against him he was cleared by the court.

Court of Pleas opened.

Edward Hunloke Plaintiff versus John Tatham Defendant in an action upon the case; The said Plaintiff and defendant called Both appear, the Defendant pleaded that the Declaration was not filed ten days before the court, whereupon he craved a non Suit, which the court granted and Judgment for the costs of Suit and awarded execution for the Same.

Peter Resnier Plaintiff versus Daniel England Defendant in an action upon the case. Said Plaintiff and Defendant called both appear in court the Declaration Read. The defendant pleaded that whereas he being a free holder

was arrested therefore the arrest was not legall, which plea the court over ruled *[[No]te the reason why the court would not admit the Defendant plea was, because he was about departing the province at the time of the arrest []ing give any [public]k notice thereof [befor]ehand*⁴⁷ and ordered that the defendant pay the cost of Court [157 1698] and that the Said Defendant Shall give Sufficient Security to make the Plaintiff as good a title to the land mentioned in the Declaration as he can by the Next courts direction.

John Bainbridge appeared at this court in the behalfe of his wife pursuant to a bond given by her and Sureties for her appearance at this court. But no person appearing to prosecute against her She was Cleared by Proclamation.

Joseph Scattergood Plaintiff against John Pears Defendant in an action of Debt, The Plaintiff and Defendant called the Plaintiff appeared, the defendant appeared not, the Declaration Read. The debt proved by a bill produced from under the defendants hand and Isaac De Cow being attested declared that he heard the Defendant confesse and acknowledge the Said bill Whereupon the Court did award Judgment against the Defendant by default for the debt and costs of Suit and execution for the Same.

Bernard Lane Plaintiff versus John Pears defendant in an action upon the case, The Plaintiff and Defendant called the Plaintiff appears the Defendant appears not the declaration Read the Plaintiff being attested proved the Debt as in the declaration Specified. Whereupon the court gave Judgment for the Same and costs of Suit against the Plaintiff by default, and ordered execution.

Robert Wheeler Plaintiff versus Thomas Atkins Defendant an arrest Withdrawne.

Elizabeth Kilcop Plaintiff versus Zechariah Pricket Defendant an arrest withdrawn.

Cornelius Van Standt Plaintiff versus John Peterson defendant an arrest withdrawn.

John Ogborn Junior Plaintiff versus Hugh Hutchins Defendant Summons Withdrawn.

William Brown Complaint against Henry Beck Defendant the complainant as a Servant having proved his wages 1l. 7s. 6d. to be to him due from the Said Henry Beck his Master the Court thereupon order the Said Henry Beck his Master to pay the Said complainant his Servant the Said Wages of 1l. 7s. 6d. Together with the Charge of this said Complaint.

Henry Beck was convicted to have been guilty of Severall misdemeanours both by his menaces to James Antram Constable who was commanded to Serve the Justices Warrant or precept and also By Scurrilous reflecting expressions to Michaell Newbold Justice Before whom he was brought by force after Denial upon threats to give obedience unto the Said Justice's Warrant

⁴⁷ In margin.

or precept and the said Henry having been therefore required by the Said Justices to find Security for his good behaviour and did refuse to find Security accordingly Wherefore the said Justices did by Mittimus Send the Said Henry Beck to prison till he Should give Security for his good behaviour.

The court of Quarter Sessions held by adjournment August the 9th 1698. John Tatham, Thomas Revell, Nathaniell Westland, George Deacon, Daniell Leeds, John Test, Thomas Bibb, Anthony Elton Justices on the Bench.

after much Debate and hearing the allegations of two persons viz John Langstaff and Alexander Steward before the court concerning a way in dispute betwixt them, the court ordered that within 14 days next coming the Way in dispute Shall be laid out by these persons (viz) Hananiah Gaunt Benjamin Jones Samuella Vaus Thomas Dugglas William Bustill Joseph English and Thomas Curtis Without any favour or affection to any person or parties and as it will best accomodate the countrey and families that are to passe that way and least hurt and damnify any mans Plantation and Improvement, and that Michaell Newbold Justice Shall tender to the said Persons an oath or attestation that they will lay out the Said Road accordingly, and that the Way pitcht and fixt upon by the plurallity of votes of the Said persons Shall be a finall decision concerning the Same.

Emanuell Smith entered into Recognizance with two manucaptors (viz) Edmund Steward and John Ogborn for said Emanuells personal appearance at next court.

[158 1698] Ordered by the Court that the fines laid upon the Township of Springfield and Maidenhead by the court held at Burlington May the 9th 1698 be Remitted upon their payment of the Provincially tax when Legally done.

Court Dissolved.

Court of Sessions and court of Pleas held at Burlington November the 3d 1698. The Grandjury William Fisher, Jonathan Davies, Johannes Lawrenson, Nathaniell Petit, Samuella Overton, Thomas Overton, John Stockton, Thomas Wilson, Thomas Green, Jacob Perkins Senior, Samuella Taylor, John Cluff, Thomas Potts Junior. Justices on the Bench John Tatham, Thomas Revell, Nathaniel Westland, John Jewell, George Deacon, Thomas Bibb, John Test, Michaell Newbold, Daniell Leeds Esquires. The Court open'd. The Grand Jury some swore and the rest attested received their charge and go out.

Henry Beck appear'd at this Court pursuant to his bond given for his appearance at this court and Submitted and acknowledged his error and was thereupon Discharged by the court.

Emanuell Smith pursuant to his Recognizance appear'd at this Court.

The Traverse Jury were called John Tuley, John Ogborn Senior, John Scholey, George Parker, John Woolston, Daniell Wills, Joseph Scattergood,

William Bustin, John Tonkan, Michael Buffin, John Powell, Jonathan Curtis.

The Persons Subpena'd to give Evidence for our Sovereign Lord the King against Emanuell Smith were called, (Viz) John Hollinshead John Buntin and Richard French. John Hollinshead appear'd not. John Buntin and Richard French appeared and being attested Were Sent to the Grand Jury. The Grand Jury Return ignoramus upon the Bill preferr'd against Emanuell Smith Because they had no evidence of the clippings being found In the Said Emanuell Smiths Chest.

The court adjourn'd for two hours to Sit again post meridiem in the court house which being accordingly Sit adjourned forthwith to Thomas Kendall's house. the court opened at Thomas Kendalls house.

Edmund Steward Plaintiff versus John Long Defendant in an action upon the case withdrawn.

The grand jury return into court and present Richard French for that Whereas there was a Road laid out by a lawfull Jury from the widow Hancock's house to the meadow known by the Name of William Biddles meadow through the Township of Mansfield, he the Said Richard French to the nuisance of the kings Subjects fenc'd the Road and laid great trees therein to Impede his Said Majesties Subjects from a free passage therein. They likewise present Christopher Weatherill for Scandalizing John Tatham by Saying that he is a Papist, They also present Lawrence Morris for that he with two Negro's on the Lords Day being the 25th of September last came up the River with a float of Loggs or timber, and further present Thomas Vaus, for Selling Rum to the Indians whereby great disturbance did accrew to his Neighbours and particularly to Thomas Wilkinson.

Benjamin Kemble and Edward Kemble Plaintiffs and Samuel Kemble defendant being called the Said Benjamin and Samuell appear, the declaration being for a debt upon bond was read, the Defendant desires to have the action continued, the court order that if Plaintiff and defendant will plead each his own cause they Shall proceed to trial otherwise that the action Shall be continued till next court They consent to plead each for himself and proceed, the Defendant did plead Satisfaction of the Said bond the Traverse Jury being Attested to try the Said cause go forth and Soon Return and give their Verdict for the plaintiff whereupon the Court awarded Judgment for the Said bond. The court adjourned till nine of the clock the next day.

[159 1698] Justices on the bench John Tatham, Thomas Revell, Nathaniell Westland, John Jewell, George Deacon, Michael Newbold, Thomas Bibb Esquires.

The court find John Abbot Thomas Folke Junior and Samuell Buntine each in the Sum of Ten Shillings for not appearing at this court to Serve upon the grand jury according to Summons. The court also find Jonathan

Eldridge Richard Boyes and Jonathan West for not appearing at this court to serve upon the Traverse Jury.

Captain John Jewell produced an account in court of four pounds due to him by Ballance from John Joyner which account the court allow'd of the said John Jewell being Sworn to the truth of his said account and that he was Nowaies reimbursed or Satisfied of the Sayd ballance and the court ordered That the executors of the Said John Joyner Should pay the Said ballance out of the Estate of the Sayd John Joyner.

Edward Hunloke mov'd the court to have his cause tried with John Tatham, and John Tatham consented to come to triall upon condition that Edward Hunloke would pay half the charges of his Suit against the Said John Tatham at the last court which the said Edward Hunloke promised to do.

William Menor Plaintiff and Jacob Perkins defendant in an action upon the case being called appear the declaration read the defendant pleads Satisfaction the traverse Jury attested to try the cause, Leonard Van de Grift, being Sworn deposed that he Saw the defendant deliver unto the Said Plaintiff four barrells of cyder in Satisfaction for the four pounds due to him the Said Plaintiff as wages from the defendant and also that he had heard the Plaintiff acknowledge that the Defendant had fully paid and Satisfied him therewith Nicholas Van der Grift being Sworn Deposed to the same purpose, Abraham Hewling being attested deposed that Isaac Perkins told him he had expresse order from his father the Said defendant to Francis Jarvis that he should not pay any money upon the account of the cyder to the Sayd Menor, The Sayd Isaac Perkins being Sworn deposed that his father the Said defendant gave him order to tell the Sayd Francis Jarvis that he Should Stop only Seaven Shillings from the Said Menor out of the price of the Cyder. There was produced in Court an attestation of Francis Jarvis taken before Anthony Morris Justice in Philadelphia, which attestation is on file, and is of the tenour following (viz) Philadelphia November the 2d 1698, Francis Jarvis of this place declareth that in or about the month of October 1697 was then at Jacob Perkins house in West Jersey the Said Jacob Perkins delivered to Francis Jarvis about four Barrells of cyder to Sell for the Sayd Jacob Perkins at twenty Shillings per Barrell and to pay the money to William Maynard The cyder not yet being Sold but Remains in the custody of the abovesaid Francis Jarvis, the Said Francis Jarvis being forbid by the said Perkinses Son to pay any money to the abovesaid William Maynard etc. Francis Jarvis.

The court adjourn'd for two hours and met and opened post meridiem. Thomas Bibb, appointed to be County treasurer. Justices on the Bench John Tatham, Thomas Revell, Nathaniell Westland, John Jewell, George Deacon, Thomas Bibb, Michaell Newbold, Daniell Leeds.

Whereas William Fisher paid Thirteen Shillings unto the grandjury the court ordered that the Same Should be discounted unto him in his tax.

The court order that whereas the Grandjury have presented Richard French for Stopping and Incumbering the road aforesaid through Mansfield that a publication Shall be Set up warning the Said Richard French to Remove the said Incumbrance out of the Said Road before the 29th Instant otherwise that he shall pay the Sum of five pounds as a fine.

[160 1698] The Traverse Jury Return into court and give their verdict that they find for the Plaintiff William Menor, Whereupon the court granted Judgment accordingly, and the Defendant crav'd an appeal which would not be granted because it was under the value.

John Tatham and Edward Hunloke appear in court and Implead each other, and at Length agree to refer the matter in controversy between them.

John Neve Plaintiff versus Samuell Oldale Defendant An action upon the case withdrawn.

Samuell Oldale Plaintiff versus Peter Fretwell and Samuell Furnis executors of James Hill Defendants in an action upon the case Withdrawn.

William Brown Plaintiff versus Nathaniell Allen Defendant in an action of trover and conversion withdrawn.

Thomas Pots Junior Plaintiff versus Randolph Simmons Defendant in an action of debt withdrawn.

Daniell England Plaintiff versus John Dewsbury's house and lot in Burlington and against the heirs of the Said Dewsbury an action upon the case.

[*It is of a Road in dispute between John Langstaffe and Alexander Steward Whereof mention is made in the Last courts proceedings, the return of the sayd Jury is on file.*] A Return made by a Jury to the court of a way by them laid out or confirmed pursuant to an order of court to them Directed for that purpose and the court approved of their proceedings.

Whereas the grandjury presented Thomas Vaus for Selling rum to the Indians the court ordered that the fine prescribed by the law upon such offenders Shall be forthwith Levied of the Said Thomas Vaus. Whereas the grandjury presented Christopher Weatherill for Scandalizing John Tatham and Whereas the Said Christopher Weatherill appear'd in court and Submitted he was discharged. and whereas the grandjury presented Lawrence Morris aforesaid for bringing loggs up the River on the Lords day and that he the Said Lawrence Appeared in court and excused his Said offence, by Shewing that what he did was in a case of necessity, the court dischargd him.

Peter Resiner appeard in court and mov'd that Daniell England might be ordered to make him a Sufficient title to the house and lot upon the Island of Burlington Sold him by the Said Daniell pursuant to an order of last court Daniell England by his attourney John Tatham appear'd in court but his power not appearing to be full enough and he not having the writings relating to the premisses the court could do nothing in the matter.

The court adjourn'd till the tenth instant.

The court of Quarter Sessions held November the 10th 1698. Justices on the Bench Thomas Revell, Nathaniell Westland, John Jewell, Michael Newbold.

The under Sheriff made Return of the execution made by him against Jacob Perkins in the Suit of William Menor and that the Same is Satisfyed.

A Warrant was Sent for Thomas Vaus and Serv'd upon him by the undersheriff, whereupon Thomas Douglas promised on the behalf of the Said Vaus that he the Said Vaus should appear or Send Effects to Satisfy the Sayd fine But neither was performed only Samuell Vaus and Thomas Dowglas appeared on the behalf of the Sayd Thomas Vaus and being demanded by what power they appeared could Shew none, But told the court the Sayd Thomas vaus would traverse which the Court would not admit of by reason that the Said Thomas Vaus did not personally appear to give Security for his appearance at the next court and his good behaviour in the Mean while.

Then the court adjourn'd till the 20th of February or New Summons.

[161 1698] Court of Sessions and Pleas held at Burlington February the 20th 1698. The court opened. Justices on the Bench John Tatham, Thomas Revell, John Jewell, George Deacon, Thomas Bibb, Anthony Elton, Daniell Leeds, William Emley, William Hewling. The Grandjury Thomas Potts Senr., Thomas Kendall, Richard Fennimore, John Arnold, William Ogborn, John Brierley, John Shin Junr., Henry Beck, Robert Powell, Ralph Hunt, Charles Miller, John Hutcheson, John Moore. The Traverse Jury Joseph Adams, Joseph White, Edmund Steward, Eleazar Fenton, Thomas Dowglas, Mordecai Andrews, Marmaduke Horsman, James Croft, Hugh Hutchin, Nathaniell Petit, Richard Harrison, Samuell Terret.

Constables being called, John Brierley constable of Maidenhead appeared and Return'd John Clerk Who had been chosen by the Said Town) for his Successor whom the Court accepted of and forasmuch as the Said Clark was not present ordered him to be brought before William Emley Justice to be Sworn to Serve for the said Town in the office of a constable for the ensuing Year. Ralph Hunt overseer of the highways within the Said Township appeared and return'd Thomas Smith who had been chosen by the Said Town for his Successor in the office of overseer of the high wayes for the ensuing Year and was accepted of.

Joshua Elyes complaint was then prosecuted.

Richard Dell Plaintiff versus Thomas Wells defendant in an action of the case withdrawn.

William Quicksall constable of Nottingham being called appeared and Return'd Isaac Watson for his Successor for the ensuing Year whereupon Isaac Watson was called but did not appear whereupon he was fin'd in the Sum of twenty Shillings. James Antrum Constable of Mansfield being called appear'd and being askt Whether he had anything to present presented Richard Francis and Edward Andrews, for that each of them carried a gun

on the Lords Day, and being askt Who he Return'd for his Successor Return'd Mordecai Andrews. John Snape constable of Springfield being call'd appear'd and being askt what he had to present return'd Langstaff for his Successor and return'd a warrant to him directed to Summon certain Delinquents in the Said Warrant mentioned, to appear at this Session for their refusing to pay their tax, which warrant upon Examination he was found not to have executed according to the tenour thereof, and was therefore continued In his office untill he should make full execution of the Same Henry Beck constable of Chesterfield being called appear'd and Return'd Marmaduke Horsman for his Successor for the ensuing Year, Marmaduke Horsman appear'd, William Parker constable of Northampton being call'd appear'd and was continued in his office for the Ensuing Year. Abraham Hewling constable of Wellingborough being call'd appear'd and made Return of a Warrant to him directed to bring in Isaac Perkins to appear at this sessions, and the said Isaac Perkins appear'd and Submitted and was fin'd in the Sum of Twenty shillings all which excepting five shillings was Remitted unto him In consideration of his povertie, the said Abraham Hewling made a complaint against Jacob Perkins for saying that he was perjured in his office in that he did not execute a warrant to him directed according to the tenour thereof to Effect but they accorded the matter Betwixt themselves in the presence of the Court. Abraham Hewling Return'd John Mills for his Successor but he not appearing it was ordered that the Sayd Abraham should bring the Said Mills before Some Justice within this County to be attested to Serve in the office of constable for the ensuing year, The constable of Chester alias Cropwell being called appear'd not and was continued in the office. There was a return made of a road laid out from the Kings new Road through William Fishers Land Edward Boultons land James Crafts land Edmund Wells land, over the Creek for the conveniency of the Neighbourhood, and was approved of, the constable of Eversham being call'd appear'd and Return'd Richard Boise for his Successor. Thomas Scattergood and James Satterthwait the constables of Burlington being called appear'd and Return'd Isaac De Cow and Thomas Clerk for their Successors for the ensuing Year.

The Court adjourned for two hours.

William Atkinson presented a petition to the Court that he might have a confirmation of a certain Road leading from his house to the Kings road.

William Emley Speciall coroner pro hac vice tantum made Return to the Court of a verdict given by a Jury by him Impannelled to view the Body of Matthew Clayton who had been accidentally drowned in Delaware River which said Jury was Impannelled the Last day of October 1698 and it was approved by the court.

[162 1698] Thomas Bibb Burgesse of the Town of Burlington delivered into Court a Recognizance by him taken of Martha Wearing Inholdresse Which is on file.

William Hewlings was attested by John Tatham Justice, to bear true alleageance to our Sovereigne Lord King William and to be true to the Governour and government of this Province, and truly and faithfully to Serve In the office of a Justice of peace within this county of Burlington.

The Court adjourn'd for two hours, and then opened again post meridiem, the Justices on the Bench being John Tatham, Thomas Revell, George Deacon, John Jewell, Daniell Leeds, Thomas Bibb. The Grandjury being called the persons abovenamed appeared and Some being Sworn and the rest attested they went forth. The traverse Jury being call'd the abovesaid persons appear'd.

an order was granted to John Snape constable of Springfield to lay out a road from William Atkinson house to the Kings road leading to Burlington.

Jacob Perkins Plaintiff and William Menard defendant in an action upon the case being called did appear. The Declaration read the court ordered them to Withdraw Whilst they confer about the matter, and being call'd In again the court told them they would take time till the morrow to consider of their cause.

Thomas Black being attested in court to give his Evidence to the Grandjury was Sent unto the Same.

Thomas Craft Plaintiff and William Brown Defendant in an action of debt being called both appear'd, And upon the Plaintiffs allegation that his Evidence was not ready the action was continued.

Edward Hunloke Plaintiff and George Glave Defendant in an action upon the case being called Edward Hunloke appear'd and desired the action might be continued which was accordingly done.

Peter Resnier Plaintiff and Daniell England Defendant in an action upon the case Peter Resnier appear'd and John Tatham Esquire appear'd as an attorney for the defendant, And the Declaration being read the Matter was defer'd till the next day.

Daniell England Plaintiff against John Dewsbury's Estate being Called John Tatham Esquire attorney for Daniell England appear'd and Desir'd a continuance which Was granted,

John Ogborn Plaintiff John Hollinshead defendant, being called the Plaintiff appear'd the defendant appeared not.

Joshua Horner was attested for the grandjury.

Thomas Bibb Plaintiff against Thomas Dowglas and Emanuell Smith an action of Debt, withdrawn.

John Jewell Plaintiff and Thomas Gardiner defendant being called they both appear'd, and the court thought fit to continue the matter till the next day.

William Brown Plaintiff and Thomas Craft defendant being called they both appear'd, and the action Was continued till the next court.

The grandjury return'd into Court and presented William Biddle for

not prosecuting the law against Edward Andrews, whom the said Biddle did charge with the stealing of two Swine from him the Said William Biddle, the Grandjury did move to have the former County treasurer brought to an account.

The Court of Pleas held by adjournment the 21st day of February 1698. Justices on the Bench John Tatham, Thomas Revell, John Jewell, George Deacon, William Emley, Daniell Leeds, Thomas Bibb, Anthony Elton, William Hewlings.

The court opened and immediately adjourned till the 14th of March next.

An order was granted to Abraham Hewlings constable of Wellingborough to Lay out a road from Richard Fennimore's house to his land on the Southeast of Jacob Perkins his Land and so onward to John Tests Mill.

John Snape having return'd a Warrant to him directed for to bring in to this Sessions certain persons in the said warrant named for refusing or neglecting to pay their tax, unexecuted, had the Same renewed.

The court of Sessions and Pleas held by adjournment at Burlington March the 14th 1698. The court opened. Justices on the Bench John Tatham, Thomas Revell, Nathaniell Westland, George Deacon, Daniell Leeds, John Test, Joshua Ely, Joshua Newbold. The Grandjury being called the Court adjourn'd for two hours to Sit again at Thomas Kendalls house. The Court opened, and the Grandjury being called answered to their names being the Same as appear'd at the former Setting.

[169 1698] A Return was made to the court by Michaell Newbold of a way laid out through Richard French his land, by persons chosen by him the said Newbold and French and was approved by the court and ordered to be recorded Which is as followeth, from a white oak and a Stump markt near the house Standing in the Road laid out and So along towards Michaells house as it is now markt by us to the meadow Side, and from thence as Michaell Sees cause as farr as the Said Richards land goes, as the said Richard Willingly consented to and offered of himself.

Thomas Wallis exhibited a boy named Rees Price to this court whom he had bought of Richard Owen, as by assignment Endors'd upon a certain Indenture bearing date, the 16th of June 1698, did appear, and desir'd that the Court would Confirm the Said Boy unto him according to the tenour of the Said Indenture and Indorsment, and to Limit the Time for which he Should Serve him and the Sayd boy then declaring that he was Willing to Serve the Said Wallis, The court then ordered that he should Serve him until he Should attain unto the age of twenty and one years Which will be in June 1704.

A Return was then made by John Test of a way laid out from his Mill, to Richard Fennimores land on the Southeast Side of Jacob Perkins his land, and so onward to the said Fennimores house.

Jacob Cooperwhait was Return'd Constable for Chester alias Cropwell.
William Fisher Plaintiff versus Sarah Farr Defendant in an action of
Debt.

Abraham Brown Plaintiff versus Richard French defendant in an ac-
tion of trover and conversion withdrawn.

Robert Wheeler Plaintiff versus Henry Jacob Defendant in an action
of the case withdrawn.

Robert Wheeler Plaintiff versus John Hutcheson defendant in an ac-
tion of the case withdrawn.

Thomas Potts Junr. Plaintiff versus Anthony Ashmore defendant in an
action of debt withdrawn.

Jonathan Curtis Plaintiff versus John Butcher defendant in an action
of Defamation of title in land withdrawne.

Joseph Wood Plaintiff versus Robert Cole Defendant in an action of
debt withdrawn.

John Robards Plaintiff versus Edmond Steward defendant in an action
of the case withdrawn.

John Cooperthwait was return'd constable for Chester at this court,
Jacob Bromeley and Anthony Dawson, both by Subpanaes appear'd at this
court.

Court Held March the 15th 1698. The Court opened. The Governour
present John Tatham, Thomas Revell, George Deacon, Nathaniell West-
land, Anthony Elton, Daniell Leeds, Joshua Ely, William Emley Justices on
the Bench. The Traverse Jury called.

Daniell England Plaintiff against John Dewsburies Estate called Dan-
iell England by his attorney John Tatham Esquire appear'd to prosecute, his
power of attorney was read, and the declaration was likewise read, and no
person appearing on the behalf of the Said Dewsbury, legally to make any
defence, the court Granted a Judgment against the Said Estate.

Peter Resnier Plaintiff against Daniell England then appear'd in court
and Desired time till the afternoon to prepare himself which the Court
granted.

John Jewell and Joshua Barkstead Plaintiff against Thomas Gardiner
Defendant being called the Plaintiffs appear'd the Defendant being call'd
three times appear'd not but Sent a paper to the Court which was overruled
and rejected, and the court gave Judgment by Default against the defendant,
and ordered that a writ of enquiry Should be issued out to enquire of dam-
ages returnable the next court.

*[take in here what is placed in the next page between the parallel lines.]*⁴⁸

Richard Dell and Elizabeth his wife Plaintiffs and Elizabeth Basnet De-
fendant being called the Plaintiff and Defendant appear'd the defendant
crav'd a continuance, the Court ordered the defendant to bring in her ac-

⁴⁸ See p. 218.

counts within twenty daies next coming and in the mean time continued the action.

Jacob Perkins Plaintiff and William Menard defendant being called appear'd, and it was put to the vote Whether the action should be tried, and it was carried by the majority of votes of the bench in the Negative Whereupon the action was dismiss.

[164 1698] William Brown appeard and desired to have his action against Thomas Craft trid which would not be admitted In regard that it had been continued till next court.

John Ogborn Plaintiff and John Hollinshead defendant being call'd the Plaintiff appear'd, the defendant appeard not and the action was continued.

A Return was made of a way laid out by a Jury pursuant to an order of the former Sitting of this Court from William Atkinson's house to the King's road leading to Burlington and the court approv'd of it and ordered it to be Recorded and is as followeth, Beginning at two markt trees by the creek Side in John Butchers land Right opposite Against William Atkinsons house going in a Strait line to the other markt trees containing two Rod wide going into the Kings Road, Wee (viz) the Jury do allow him a Road with gates.

John Snape Constable made Return of a warrant to him directed to Summon in certain delinquents for their Refusall to pay their tax which warrant he had executed as he reported, whereupon the Court ordered that Such as refused to pay should be distrain'd.

James Satterthwait appear'd at this Sessions who had been bound to appear to answer for searching Daniell Suttons house without a legall warrant, and John Hollinshead being then and there present asserted that himself is Burgesse and as Such might give power to Search, and James Satterthwait was then askt if he would Submit to the Bench or have his case presented to the Grandjury, Whereupon he desired a little time to consider of it which being granted he soon return'd again and answered that he did not understand the matter they might do what they would, and being examined concerning What he was charg'd withall, he ownd that he Went along with the Said John Hollinshead to the said Daniell Suttons house to Search for Some goods and that in the Said house he did make Search among Some of the said Daniell goods, So the said James Satterthwait being convict of Searching the said Daniell Suttons house without a legall Warrant was fin'd in the Sum of five pounds, John Hollinshead was convict of not prosecuting and giving evidence against Emanuell Smith Whom he had committed, and was therefore fined in the Sum of ten pounds, he was likewise convict of Commanding and going along with the said James Satterthwait to Search the said Daniell Suttons house without a legall warrant in contempt of Authority, and was therefore fined in the Sum of ten pounds and the said John Hollinshead and James Satterthwait were committed to custody till they Should pay their Said respective fines and give Security for their good behaviour.

ordered by the Court that Moses Langstaff shall be brought in by John Snape to Daniell Leeds Justice to be Attested to Serve in the office of a Constable for the ensuing Year.

Mons Cocks and his wife were presented to the Grandjury for taking fifty Shillings and Sixpence from an Indian, and Jacob Bromely, and Anthony Dawson being both Sworn to give their evidence in the case were Sent to the Grandjury, and the Grandjury return'd ignoramus upon the Bill.

Mons Cock was convicted at this court of Selling Strong liquors without licence and was therefore ordered to pay thirty Shillings as a fine, and he was also convict of Selling Strong liquors to the Indians, and was therefore ordered to pay the fine by the law prescribed in Such case (viz) five pounds.

John Hollinshead James Satterthwaite and Mons Cock were committed for not performing what was laid upon and required of them Respectively as aforesaid.

Whereupon the Court adjourn'd till eight a clock on the morrow morning.

Peter Resnier appear'd, in court in the afternoon to prosecute his Suit upon bond against Daniell England Whereupon it was debated in court Whether the said bond were forfeited or no, and Whether it ought to Come upon triall, the Court after Some deliberation gave their Judgment it ought to come upon tryall from which Judgment Daniell England Crav'd an appeal which upon the usuall conditions was granted by the Justices upon the Bench (viz) Thomas Revell Nathaniell Westland Daniell Leeds Joshua Ely William Hewlings William Emley [*add this to the foregoing page*].

Christopher Snoden Plaintiff Thomas Gardiner Defendant being called the Plaintiff appear'd the defendant being Called three times appear'd not, whereupon Judgment Went against him by default Which was for ten pounds damages with costs of Suit.

The court ordered Thomas Bibb to pay the Grandjury for three daie's attendance at this Court.

Nathaniell Petit and Mary his wife having been in the Sight and presence of Joshua Ely Justice convicted of keeping bad order in their ordinary, as keeping persons drunk and breaking the Sabbath and other Misdemeanors is presented to this Court Whereupon the Court order his licence shall be taken from him the said Petit.

[165 1698] There was an order of Court for William Sanford to Serve his Master John Petty for the time limited and reasons Mentioned in the Same order which is on file.

The Sheriffe return'd that the execution was Satisfied which was awarded against Samuell Kemble upon a Judgment granted the Last Court to Benjamin and Edward Kemble executors of the last Will and testament of Hanna Scott late deceased upon a bond put in Suit against the Said Samuell Kemble by them the Said executors.

ordered that Whereas there is a difference Between the Inhabitants of Maidenhead about two Roads Leading from their said Town to Sanpink a precept shall be directed to the Constable of the Said Town requiring him to Summon the said Inhabitants to come together at Such time and to Such place as shall unto him Seem convenient and there put it to the vote whether of the said roads shall Stand and that that Road which Shall be pitcht upon and approv'd of by the majority of votes shall be the Establisht road.

The Court adjourned till eight a clock in the morning next day.

The Court of Session opened the 16th day of March 1698 The Governour being present John Tatham, Thomas Revell, Nathaniell Westland, George Deacon, William Emley, Daniell Leeds, Joshua Ely Justices on the Bench.

Peter Fretwell was then brought into court by the high Sheriff by virtue of a precept unto him directed and the sheriff returnd the said precept which being read the said Peter Fretwell was askt whether he would So far Submit to authority as to give up his accounts of the County tax to the persons appointed to audit accounts With him, he desired Some time to consider he withdrew for a little While and after return'd into Court and denied to give any answer, whereupon he was by mittimus Sent to prison for not rendring his accounts as aforesaid and not acknowledging the government and giving Security for his good behaviour.

The Sheriff returnd a non est inventus upon the warrant to him directed to bring in Thomas Gardiner into this Court.

It was then adjudged by the court that whereas John Garwood paid his tax unto John Shin Senior and he received the Same Since the collectors were chosen that it was a contempt of authority in them both, Wherefore they were fined in twenty Shillings apiece.

New Constables for the ensuing Year Maidenhead John Brierley. Nottingham William Quicksall. [attested] Chesterfield Marmaduke Horsman. [attested] Mansfield Mordecai Andrews. Springfield Moses Langstaff. Northampton William Parker. [attested] Wellingborough John Mills. Chester, alias Cropwell John Cooperthwait. [attested] Eversham Richard Boise. [attested] Burlington Isaac De Cow and Thomas Clark.

The Court adjourn'd till the next day being the 17th of March was then opened, Justices being on the Bench Thomas Revell, George Deacon, Nathaniell Westland, Daniell Leeds.

The court dissolv'd.

[166 1699] Court of Quarter sessions and Pleas holden at Burlington on May the 8th 1699. Justices on the Bench Thomas Revell, Nathaniell Westland, George Deacon, John Jewell, Daniell Leeds. The Grandjury William Fisher, John Bainbridge, Thomas Potts Junr., Robert Pierson, Thomas Tindall, William Foster, Abraham Brown Senr., Thomas Smith, Thomas Runnion, Enoch Anderson, Recompence Kerby, James Sherine, Benjamin

Jones Being called appeared and were some Sworn and the rest attested receive their charge.

James Satterthwait, pursuant to a bond by him given appeared at this court and no person appearing to prosecute against him he was dismissed.

Traverse Jury Edmond Wells, William Bustin, Abraham Hewlings, Charles Wolverton, John Hilliard, Abraham Brown Junr., Obadiah Hierton, Henry Beck, John Brierly, Emanuell Smith, Joseph Scattergood, Joseph Pancoast. The traverse Jury being called appear'd and answered to their names.

And then the Court adjourn'd for two hours.

Court of Pleas opened post meridiem. Justices on the Bench Thomas Revell, Nathaniell Westland, Daniell Leeds, Michaell Newbold.

Peter Resnier Plaintiff Daniell England Defendant being called, appear'd. The defendant insists to have the benefit of an appeal which he alledged to have been granted the Last court, But the Court not consenting The defendant complies to go to triall at common law, the Jury called appear'd and were attested to try the cause the Declaration read the bond read the plea given in and read the condition of the bond read The traverse Jury go out and Return into court again, the Plaintiff and Defendant call'd come in, the Jury being askt who they find for they by their foreman declare they find for the Plaintiff, the Defendant Craves an appeal from the verdict as vitious.

The grandjury came into Court and return'd two presentments which were read in court the one of a way Between Mill Creek and York Shire bridge, and the other of Samuell Jenings for saying that our Governours commission is unlawfull and they that made it do not dare to Stand by it.

Thomas Revell, Nathaniell Westland, Daniell Leeds, Anthony Elton, Michael Newbold Justices on the Bench.

Richard Dell appeared to prosecute against Elizabeth Basnett Elizabeth Basnet appear'd and being required to give in her accounts did alledge her present Incapacity and promised to give her accounts the twelfth instant.

Thomas Bibb as Burgesse of the Town of Burlington did exhibit to the Court four recognizances by him taken, (to wit) of Henry Grubb, George Willis Elizabeth Basnett and Martha Wearing Inholders The said Thomas Bibb as treasurer made his Complaint to the Court that John Hutcheson Collector of part of the provinciall and county tax doth neglect to pay in the Same Whereupon it is ordered that a Warrant shall be issued out for to Levy the same.

[167 1699] Justices on the Bench. Thomas Revell, Nathaniell Westland, John Jewell, Anthony Elton, Michaell Newbold, George Deacon.

John Ogborn Plaintiff John Hollinshead defendant being called the Plaintiff appear'd the Defendant being Called three times appear'd not, the Declaration Read and Judgment was given by Default against the Defendant

the Judgment being for Eleven pounds fourteen Shillings and four pence with Costs of Suit amounting to three pounds and ten Shillings.

William Pancoast being then attested Declared that before Jane Pancoast was married to Thomas Crosse he was present when there were five cows that belonged to Anne and Abigail Curtis Whereof the Said Deponent bought two, and the other three She the Sayd Jane Pancoast Was minded to take to halves. Jonathan Curtis being attested deposed that the said three cows in the Custody of the Said Jane Pancoast were the proper goods of the said Anne and Abigail Curtis at the time of the Intermariage of the said Jane and Thomas Crosse Two of Which Said Cows being red the executors of the said Thomas Crosse did Sell unto William Atkison, the third died before She came to the hands of the sayd Executors.

Thomas Revell, John Jewell, George Deacon, Nathaniell Westland, Daniell Leeds, Anthony Elton, Justices on the Bench.

The Court at Daniell Englands request confirmed the Judgment to him granted at the Last court against John Dewsbury's Estate.

Thomas Brock Plaintiff versus John Foulk alias Owen Defendant in an action of debt Withdrawn.

John Test Plaintiff versus Charles French Defendant in an action of the Case Withdrawn.

John Jewell, George Deacon, Michaell Newbold, Anthony Elton, Daniell Leeds.⁴⁰

Jacob De Cow Plaintiff versus Mordecay Andrews Defendant in an action of the case Withdrawn.

Abraham Redwood Plaintiff versus Joseph Heron Defendant an action of the case withdrawn.

Joseph Pigeon Plaintiff versus Bewley Marshall Defendant an action of the case withdrawn.

Daniel Leeds Plaintiff versus Jonas Moon Jasper Moon and William Pancoast Defendants in an action of debt withdrawn.

The honourable Jeremiah Basse Esqr. Governour and Thomas Revell Gent. Agents for the honourable the West Jersey Society Plaintiffs Complain'd against Nathaniell Westland Gent. Late agent for the Said Society Defendant in an action upon the Case with relation to the accounts of the Sayd Defendants for considerable quantities of goods and merchandize of the Said Society to him the Said defendant Delivered: Whereupon the Court did appoint four men to audit accounts with the Said Defendant (Videlicet) George Deacon and Daniell Leeds on the behalf of the Plaintiffs And Joseph Row and John Meredith on the behalf of the defendant, and to fix the Ballance between the Sayd Society and the Said Defendant, Then the Court adjourned till Seaven of the Clock in the morning next day.

⁴⁰ Sic. Probably the court adjourned and met again, with these justices present.

The Court of Sessions and pleas held at Burlington May the 9th 1699. Justices on the Bench Thomas Revell, Nathaniel Westland, Daniel Leeds. the Court opened.

Upon the verdict given Yesterday by the Jury for the Plaintiff Peter Resnier the court gave Judgment for Sixty eight pounds in full Discharge of the bond, the Defendant Daniell England Crav'd an appeal which was granted he the said Daniell England paying the costs of Suit and giving Sufficient Security to prosecute his appeal to effect As the Law in that Case doth require which Conditions he the Sayd Daniell England performed by paying the Costs and giving bond to prosecute.

Whereupon the court adjourned till the 19th instant.

[168 1699] The Court of Pleas held by adjournment the 19th of May 1699. Justices on the Bench Thomas Revell, Nathaniell Westland, Daniell Leeds. the Court opened and adjourn'd till the morrow morning 8 a'clock.

The Court of Sessions and pleas holden at Burlington August the 8th 1699. The Governour present. Justices on the Bench John Tatham, Thomas Revell, John Jewell, Nathaniell Westland, George Deacon, Daniell Leeds. The Court opened.

Thomas Bibb Burgess of the Town of Burlington Delivered into Court John Neves bond Henry Greens Recognizance Thomas Renshaws recognizance and Daniell Mecartees Recognizance, for their Severall appearances at this Court, all which being called (together with Thomas Roberts Who was also bound to appear at this Sessions) did Appeare and Were continued till next Sessions Excepting only the said Thomas Renshaw who upon Paying of his fees was Dismist.

William Cole Plaintiff versus John Test Defendant an action of the case withdrawn.

Isaac Conorroe Plaintiff versus John Jenings Defendant in an action of debt withdrawn.

Jacob De Cow Plaintiff versus Mordecai Andrews defendant an action of the case withdrawn.

Henry Green Plaintiff versus William Richards Defendant an action of Slander withdrawn.

Edward Hunloke did appear and make Report to this Court that for rent due to him from James Layton his late tenant he had made Distreis of the goods found in the said Laytons house, and did desire the Court to grant him licence to dispose of the said goods for the satisfying of the said rent Which the Court granted he the Said Edward Hunloke promising to Swear before Some Magistrate to the Truth of his account.

The Jury's being called, and Severall not appearing, So that full Juries could not be made, the court Could not proceed in businesse, and therefore the Court Dissolved.

The Court of Quarter Sessions and Pleas held at Burlington November

the 3rd 1699. The Governour present. Justices on the Bench Thomas Revell, Nathaniell Westland, John Jewell, George Deacon, Daniell Leeds, Joshua Ely, Michaell Newbold, Anthony Elton, John Test. The court opened. The grand Jury Mathew Allen, James Craft Senr., Andrew Heath, Robert Pierson, Thomas Tindall, Johannes Lawrenson, Samuell Hunt, James Price, William Bustin, Thomas Wood, John Hammell, John Moor, Thomas Duglas all which being called answered to their names. [169 1699] The Traverse Jury Thomas Wright, John Ogborn Junr., Eleazer Fenton, Ralph Hunt, Thomas Smith, Abraham Brown Junr., Jasper Smith, Nicholas Martineau, John Hilliard, Richard Harrison, Edmond Wells, Jacob De Cow being called appeared.

The Grandjury being attested received their charge and Went out, and then Daniell Mecarty Henry Green Abraham Carlile Alexander Stuart and John Neve were called to appear according to their Severall Recognizances or bonds John Neve appeard and Thomas Bibb Burgess, Who had taken bond of John Neve for his appearance, gave an account to the Court Why the Said John Neve was bound over, (viz) Because the Said Neve having cohabited in this Town of Burlington with Mary Friley did after carry her away with him out of the Province and Returned again into the Sayd Province without her, Whereupon the Court finding that the Said Mary is Safely return'd into this town and no evidence appearing against the Sayd Neve for any crime the Court Thought fit to withdraw the Said Neves bond he paying his fees.

Matthew Champion being attested to give evidence for the King in Daniell Mecartees Matter Was Sent to the Grandjury.

Abraham Carlile appeared and the examinations taken of him and Hanna Biddle were Sent to the Grandjury.

The Recognizance taken of Thomas Kendall as Inholder was Return into the Court by the Burgess of the Town of Burlington.

Humphrey Hughes appear'd, and being presented by the grandjury for that he was suspected to have Carried away or Secured certain privateers, Submitted to the Bench, and was adjudged to pay a fine of ten pieces of eight, and to pay the Sheriffs and Clerks fees.

Thomas Bibb also recommended to the Court a Negro, called Will whom he had committed, as one that might give Some light in Daniell Mecartees Businesse.

The Court adjourn'd for two hours. The Court opened post meridiem. Justices on the Bench Thomas Revell, Nathaniell Westland, John Jewell, George Deacon, Joshua Ely.

Josiah Pricket Plaintiff versus Jonathan Fearman defendant an action of debt withdrawn.

Alexander Stuart appeard according to his bond, and also Mary Grant appeared to prosecute against him, a paper evidence against the Said Stuart

was sent to the Grandjury. The Sayd Stuart having commenced a civil action against the Sayd Mary Grant, their Severall actions were continued till next court.

Thomas York and Mary His wife Plaintiffs against Martha Wearing and Robert Dummer defendants being Called appeared, and alledging the absence of their evidence crav'd a continuance Which was Granted.

Martha Wearing Plaintiff against Jeremiah Reading Defendant being called appear'd, Jeremiah Reading appeared not, his bondsmen Thomas Potts Senr. and James Craft Junr. being called Thomas Potts Senr. appear'd and being admitted by the court to personate the sayd Jeremiah Reading The Declaration was read and by reason of some uncertainties or unsufficiencies therein was Quasht and the Sayd Martha Wearing thereupon non Suited.

The Grandjury Return'd into court and exhibit Several presentments, (viz) one against Joshua Ely Justice another against John Neve and Mary Friley, another against Robert Dummer and Martha Wearing and another against Alexander Stuarts wife and another against Daniell Mecartee, and another against Abraham Carlile and Hanna Biddle, and another of the Road Betwixt John Hancocks and York Shire bridge Which are on file, they like wise exhibit a presentment against John Tatham, and another against Humphrey Hughes.

[170 1699] Richard Dell Plaintiff and Elizabeth Basnet Defendant appear in court, and their matter is deferred till the next day.

The Court of Quarter Sessions and Pleas held at Burlington the fourth of November 1699. The Court opened, Justices on the Bench, Thomas Revell Nathaniell Westland George Deacon Joshua Ely.

James Wills his Negro Will was brought into Court and examined concerning goods which He was suspected to have received of or delivered unto Daniell Mecartee, Sayd he Sold the Sayd Mecartee a Shirt Which he Stole from the Widdow Basnets house.

Daniell Mecartee being brought into Court and askt how hee came by one Shirt which the same was found in his house, Denied that ever he Saw or knew anything of the said Shirt untill the Same was found In his house.

The Court having considered the evidence given against the Said Daniell Macartee and Negro Will and Thereupon finding them guilty of the felonious Stealing of certain goods Belonging unto Severall persons of the Town of Burlington, The Court gave Judgment that the Sayd Daniell Mecartee on the same Day being the fourth of November 1699, Between the hours of one and two of the clock in the afternoon Shall be Whipt at a cart tail from the Court house down to the Water Side and thence back again to the Courthouse With thirty nine Stripes Well laid on, and also that if the said Daniell Mecartee Should be found within this Province after the Seaventh day of the sayd Month of November, that then he the Said Daniell Mecartee Should be taken up again and Whipt as aforesaid.

Likewise the Court ordered that the Said Negro Will Should, at the time and in the Space aforesaid, be Whipt at a Cartstail with thirtynine Stripes well Layd on.

Thomas Revell Plaintiff and Mons Cocks Defendant in an action of Debt upon bond being called the Plaintiff appear'd the defendant appear'd not, the declaration read, the bond read and prov'd and a Judgment thereupon granted for five pounds with costs of Suit.

Richard Dell Plaintiff and Elizabeth Basnet Defendant, appeared in Court, and after Some debate the Declaration read, Whereunto the defendant pleads Plenius Administravit, and the accounts read Severall other papers as receipts articles and a bond read, and after Some debate the Defendant engaged on the behalf of William Framptons children that his Eldest daughter Elizabeth Shall before the next Court acknowledge her Self Satisfyed with the hundred pounds mentioned in the Sayd articles and by vertue thereof unto her belonging, And also that Security Shall be given before the next court That Thomas and Sarah Residue of the sayd William Framptons children, When They come to age Shall accept of their Respective hundred pounds to them by vertue of the Sayd articles due and belonging, and So the cause was continued till next court.

A Return of a Road through Maidenhead made to the Court and approved of by the Same, as followeth May the 4th 1699, In order to the amendment, wee of the Jury Begining at the partition Line So runing as Markt trees shall direct to the eight mile run to a White oak in the Land of Johannes Lawrence Soe Runing as Markt trees Shall direct to a White oak tree Standing before Ralph Hunts door by the run So running as Markt trees Shall direct to Bridge over the Six mile run in Robert Lannings Land So running as markt trees Shall direct through the Land of William Acres and through the Land of Jasper Smith and through the land of Thomas Smith to the Five mile run to a hiceree tree So running through the Land of Samuell Matthews and So through the Land of Samuell Stacy as Markt trees Shall direct to Shabakunck bridge, So as markt trees Shall direct through the Land of Mahlon Stacy to the mill of Mahlon Stacy, Sign'd by, Ralph Thomas Smith Samuell Hunt Theophilus Phillips Joshua Anderson John Lanning Joseph Smith Hezekiah Bonham.

The Court adjourn'd for two hours.

The Court opened Post meridiem. Justices on the Bench Thomas Revell, Nathaniell Westland, John Jewell, George Deacon, John Test, Michaell Newbold.

[171 1699] Thomas Roberts being called appeared, and Joseph Steward being called appear'd not nor any other to prosecute against the said Thomas Roberts, therefore the Said Thomas Roberts was dismissed paying his fees.

Henry Green being called, appear'd But no person appearing to prosecute against him he was Dismissed paying his fees.

John Neve and Mary Fryley came into Court and were ordered to part and not to cohabit together any longer under the penalty of Ten pounds.

Robert Dummer and Martha Wearing came into Court and were ordered to Marry or part Within one Month after this time under the penalty of Ten pounds. Martha Wearing being convict of having Spoken abusively and contemptibly of Thomas Revell Justice Was by the bench fin'd in five pieces of eight Which in consideration of her poverty Was remitted unto her.

Abraham Carlile came into Court and being convicted of having comitted fornication With Hannah Biddle Was fin'd in the Sum of five pounds Which being tendered unto the Governour by the sayd Abraham the Said Governour was pleased mostly to give and Restore again unto the Said Abraham in consideration of his poverty.

Whereupon the Court adjourn'd.

The Court of appeales held at Burlington the 5th of october 1699. Justices on the Bench Thomas Revell, Nathaniell Westland, Joshua Ely.

The Court opened, and no business presenting the Court adjourn'd till the 12th instant.

The Court of Appeales held by adjournment at Burlington the 12th of October 1699.

Justices on the Bench John Jewell, George Deacon, Anthony Elton, John Test. The Court opened.

Daniell England Apellant against Peter Resnier Appellee being called Appeared not, Peter Resnier Appellee Appear'd and crav'd to have an issue put to the matter depending betwixt him and Daniell England, the court Takes time to consider of it and adjourn for an hour and an half.

The Court opened post meridiem, Justices on the Bench John Jewell, George Deacon, Anthony Elton, John Test.

Daniell England appellant called three times appear'd not. Peter Resnier appellee appear'd and crav'd a confirmation of the Judgment given at common law at his Suit against the sayd Daniell England, Whereupon the Court after mature deliberation and consideration of the former Courts proceedings in that matter Gave it as their Judgment that the Judgment of the Court at common law for Sixty eight pounds payable by the Sayd Daniell England to the Sayd Peter Resnier is and Shall be confirmed, and that the Sayd Appellant Shall pay the Costs of Court amounting to one pound and Sixpence Whereupon the Court Adjourn'd.

[172 1699] ⁵⁰ [Court of Sessions and Pleas February 20th 1699] Court of Sessions February 20th 21th 22th 1699. Justices on the Bench Mahlon Stacy, Francis Davenport, Peter Frettwell, William Biddle, John Adams, John Wills, Joshua Newbould, Ralph Hunt Esqrs. Thomas Gardiner Kings attorney Joseph Cross Sheriffe.

Grand Jury foreman Hannaniah Gant, Thomas Raper, Matthew Fore-

⁵⁰ Different handwriting.