

Thomas Bennitt pft }
 Robert Jones def^t }
 Daniel Jenifer p quer^r : }
 John Morecroft p def^t }

Liber FF

The defend^t demurrs to the pft^s declaracōn
 and therupon puts in his plea as followeth

Thomas Bennitt pft } Jenifer }
 Rob: Jones defend^t } Morecroft }
 Bennitt pft: in a plea of tresspass upon the Case

The Plea & demurrer of Rob^t Jones
 defend^t to the declaracōn of Tho:

And the said Robert by John Morecroft his Attorney doth come
 and defend the force and wrong when &^c: and the said Robert saith
 that the said Thomas his acōn ag^t him ought not to haue, because he
 saith that about the time in the declaracōn expressed he the said
 Robert did hire the said Thomas to goe to Delaware Bay to fetch
 a seruant of his the said Robert named Jasper Tayler that was runn
 away and was then at Delaware Bay and in Case that the said Jasper
 was gone from Delaware Bay that then he the said Thomas should
 bring und^r the Gouverno^{rs} hand of that place to testifye that the saide
 Thomas was ther and that the said Jasper was gone from thence, in
 consideraōn whereof the said Robert was to pay to the said Thomas
 One Cow and Calfe, and further if the said Jesper should be gone
 from Delaware Bay at the said Thomas his coming thither that the
 said Tho: should then goe to Newyork and if he found the said
 Jesper ther to bring and deliuer him to the said Robert and if the said
 Jesper was not ther to bring und^r the Gouverno^{rs} hand of New York
 to testifye that the said Thomas was ther & th^t th^e s^d Jesper was not
 there In Consideraōn wherof the said Robert was to pay to the s^d [p. 385]
 Thomas Three hundred pounds of pork more wthout that the said
 Rob^t was endebted to the said Thomas One Cow and One Calfe by
 her side in manner and forme as the said Thomas hath aboue Com-
 plained ag^t him and the said Robert saith that th^e declaracōn of the
 said Thomas and the matter therein contained is insufficient in law to
 maintaine his acōn ag^t him the said Robert neither hath he need
 or is bound by law to answer therunto, and of this he craueth the
 Judgm^t of the Court and that the declaracōn of the said Thomas may
 be cast out

The Pft: Joynes in demurrer wth the defend^t and puts in his Answer
 as followeth

Thomas Bennitt pft } Jenifer }
 Rob: Jones defend^t } Morecroft }
 the pft in answer to the defend^{ts}
 demurrer saith—That the declara-
 cōn of the pft: and the matter therein Contained is sufficient in law
 the which he maintaines and auerrs, And that the defend^t is bound
 by law to answer therunto and of this craueth the Judgm^t of the
 Court

The defend^t hereto alleadgeth that the pft in his declaracōn hath not
 expressed that he hath been at Delaware Bay to look after the said