And the said Jean Payen Boisneuf by John Thomson Mason and James Winchester his attornies appears in court here, and thereupon on motion of the aforesaid John Hoffman by his attornies aforesaid. It is ruled by the court here, that the said Jean Payen Boisneuf give special bail to the action aforesaid in the plea aforesaid. Whereupon the said Jean Payen Boisneuf by John Thomson Mason his attorney aforesaid files in court here, the following Bail piece, to wit.

John Hoofman Plaintiff against Jean Payen Boisneuf Defendant.

You victoire Pauline Marie Gabriel Delavincendiere, and James Marshall do jointly and severally acknowledge yourselves special bail for the said Jean Payen Boisneuf at the suit of the said John Hoofman in an action of trespass on the case and so forth brought by the said John Hoofman against the said Jean Payen in the Mesters shore General court, they acknowledge themselves to be content therewith this 4th day of april in the year one thousand seven hundred and ninety eight.

Before
(To the Honorable the Judges of the General court.

Jacob Young
Val: Brother.

I J. Mason Esquire, to appear for Defendant.

And thereupon on motion of the aforesaid John Hoffman by his attornies aforesaid. It is ruled by the court here, that the said Jean Payen Boisneuf answer to the declaration aforesaid of the aforesaid John Hoffman in the plea aforesaid, or Judgment by the court here will be entered against him in default thereof: and the said Jean Payen Boisneuf by his attorneys aforesaid comes and saving to himself all advantages as well to the writ as to the declaration and prays leave of the court here to imparle until the second tuesday of October next: and then to answer to the writ and declaration aforesaid of the aforesaid John Hoffman in the plea aforesaid: and to him it is granted. the same day is given to the aforesaid John Hoffman also.

At which said second tuesday of October being the ninth day of the same month in the year of our Lord one thousand seven hundred and ninety eight, to which said day the said Jean Payen Boisneuff had leave specially to imparle and then to answer to the writ and declaration aforesaid of the aforesaid John Hoffman in the plea aforesaid, comes again into the General court here as well the aforesaid John Hoffman by his Attornies aforesaid: as the said Jean Payen Boisneuff by his Attornies aforesaid: and the said Jean Payen Boisneuff by John Thomson Mason his attorney aforesaid: as before defends the force and injury when and so forth, and says that the said John Hoffman his action aforesaid against him to have or maintain ought not, because he says he did not assume upon himself in manner and form as the said Hoffman hath by declaring above alledged against him, and of this he puts himself upon the Country.

And the said Jean Payen Boisneuf by the leave of the court here

first had and obtained and by force of the statute in that case made and provided for further plea as before defends the force and injury when and so forth, and says that the said John Hoffman his action aforesaid against him to have or maintain ought not because he says that he the said Jean Payen did not at any time within three years next before the impetration of the original writ of him the said John Hoffman in this case impetrated assume upon himself in manner and form as the said John Hoffman hath by declaring above alledged against him and this he is ready to verify whereupon he the said Jean Payen Boisneuf prays Judgment if the said John Hoffman his action aforesaid against him to have or maintain ought &c.

And the said John Hoffman says as to the first plea of him the said Jean Payen Boisneuf above pleaded he puts himself upon the country in like manner, and the said John Hoffman says that by reason of any thing contained in the second plea of him the said Jean Payen Boisneuf in manner and form above pleaded he ought not to be precluded from having and maintaining his action aforesaid because he says that he the said Payen did assume upon himself in manner and form as the said John Hoffman hath by declaring above alledged within three years next before the impetration of the original writ in this cause impetrated, to wit, at the county aforesaid, and this the said John Hoffman prays may be enquired of by the country: and the said Jean Payen Boisneuf in like manner and so forth. Therefore let a Jury thereupon appear before the court here, on the second tuesday of may next by whom and so forth, and who neither and so forth, to recognize and so forth, because as well and so forth, the same day is given to the said parties then and there and so forth. And now, at this day to wit, the said second tuesday of may being the fourteenth day of the same month in the year of our Lord one thousand seven hundred and ninety nine, comes again into the General court here as well the aforesaid John Hoffman by his attornies aforesaid, as the said Jean Payen Boisneuff by his attornies aforesaid, and as well the said Jean Payen Boisneuff by his attornies aforesaid relinquishing his second plea herein before set forth, as the aforesaid John Hoffman by his attornies aforesaid relinquishing his replication to the said second plea above set forth, say that they will not further prosecute, and upon that issue above joined to be tried by the country. Thereupon the said second Issue above joined to be tried by the country is by consent of parties and their attornies aforesaid and by order of court here thereon struck out. Whereupon come here into court the aforesaid Victoire Pauline Marie Gabriel Delavincendiere and James Marshall the special bail of the said Jean Payen Boisneuf and by consent of the aforesaid John Hoffman and at the request of the said Jean Payen Boisneuf the said Victoire Pauline Marie Gabriel Delavincendiere and James Marshall is discharged from being bail for him the said Jean Payen Boisneuf in this being present in his proper person surrendered himself to the