

Whereupon the said Thomas Timmons in his own proper person came into Court and  
whereupon the said Thomas Timmons at the prayer of the aforesaid Joseph M<sup>r</sup>ester by his attorney  
aforesaid is adjudged to give Special Bail to the action aforesaid, whereupon a certain Francis Timmons  
of Somerset County planter present here in Court undertakes for the said Thomas Timmons  
that in case the said Joseph M<sup>r</sup>ester shall recover Judgment in the plea aforesaid against the  
aforesaid Thomas Timmons or that the said Thomas Timmons shall be therein convicted that then  
he the said Thomas Timmons shall pay the condemnation of the Court thereupon or render  
his body to the custody of the Sher<sup>t</sup>. of Somerset County in satisfaction thereof or that he the  
said Francis Timmons will do it for him

Whereupon the said Thomas Timmons in his own proper person came and defend-  
ed the force and injury when he said that he cannot deny but that he did promise &  
assume upon himself in manner and form as the aforesaid Joseph by his declaration aforesaid  
suggested, nor can he say but that the said Joseph ought to recover his damages by reason  
of the non performance of the promise and assumption aforesaid to five hundred and sixty two  
pounds of tob<sup>o</sup> and Costs of Suite which the said Joseph doth not deny

Therefore it is considered by the Justice here the sixteenth day of August and  
Dow. One thousand Seven hundred and twenty six aforesaid that the aforesaid Joseph M<sup>r</sup>ester recover  
against the aforesaid Thomas Timmons as well the sum of five hundred and sixty two pounds  
of tob<sup>o</sup> his damages aforesaid in form aforesaid confessed as also the sum of three hundred and twenty  
pounds of tob<sup>o</sup> for his costs and charges by him about his Suite

329. Nine --- in that part expended the same Joseph by the Court here of his aforesaid adjudged and the aforesaid Joseph  
in Merry & C<sup>o</sup>.

2<sup>d</sup>: The same } Somerset<sup>sh</sup>. Francis Timmons late of Somerset County planter  
Francis Timmons } was attached to answer unto Joseph M<sup>r</sup>ester of plea of trespass upon  
the case &c. And whereupon the same Joseph M<sup>r</sup>ester by Lewis  
Gale his attorney complains that whereas the aforesaid Francis the tenth day of December seventeen  
hundred and twenty five at Somerset County within the Jurisdiction of this Court was indebted  
to the aforesaid Joseph in the sum of four hundred and fifty seven pounds of tobacco as by aud<sup>t</sup>.  
herewith in Court produced may appear and so thereof being indebted the said Francis in  
consideration thereof afterward to wit the same day and year aforesaid at the County aforesaid within  
the Jurisdiction aforesaid upon himself assumed and to the said Joseph then and there faith-  
fully promised that he when afterward he should be thereto requested he the said sum of  
(four)