

promise that he the said J^r. the said one thousand four hundred and fifteen pounds of tobe to the said J^r. when he should be thereunto requested he would well and faithfully pay and Content and altho the said J^r. one hundred pounds of tobe part of the said debt to the said Joseph he hath paid and satisfied yet as to the residue thereof being one thousand four hundred and fifteen pounds of tobe the said John his promise and assumption of inform^{ed} made nothing regarding but flattering and fraudulently Intending the said J^r. in that part craftily and Subtly to deceive and Defraud he the said one thousand four hundred and fifteen pounds of tobe. to the said J^r. hath not paid altho the same to do the said John was often there^{unto} requested but the same to him hitherto to pay hath refused and still doth refuse and deny to the Damage of the said J^r. of two thousand eight hundred and thirty pounds of tobe & thereupon he bringe into the Court of the said J^r. & S^r. Doack the

	John Summers	Debit	Contra	
1722	To 4000	121	By Edm. Kouchang	100
1723	To 3000	140	By Bats & Co	1415
	To Edm. Kouchang your Tho' for 500 p. part	200		<u>1515</u>
1724	To 3000	257		
	To Interest	104		
		<u>1515</u>		

Saving Errors of Joseph M^r. J^r.

A Copy of the foregoing dect^s. and ans were made and sent to be served on the said J^r. Summers with the writ in the plea of the Court.

At which said third Tuesday of March to wit the twenty first day of the same month and Dow. One thousand seven hundred and twenty six being the day of the Return of the said writ Cometh the said Joseph M^r. J^r. by his attorney of and the Sherr. 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 *Corpus dect. delivered in time fine from Allen Street*

Whereupon the said John Summers being called appears and thereupon the said John Summers at the prayer of the said attorney of is adjudged to give Special bail to the action of Whereupon a certain Ambros J^r. S^r. of Somerset County Esquire present here in Court undertakes for the said John Summers that if in case the said Joseph M^r. J^r. shall recover Judgment in the plea of against the said John Summers or that the said John Summers shall be therein Convict that then he the said John Summers shall pay the Satisfaction of the Court thereupon or under his Body to the Custody of the Sherr of Somerset County in Satisfaction thereof that he the said Ambros J^r. S^r. will do it for him

Whereupon the said John Summers in his own proper person comes and Defends the force and Injury when he saith that he cannot deny the action of nor but that he did upon himselfe assume in manner and forme as the said Joseph M^r. J^r. above against him hath suggested, nor can he deny but that the said Joseph hath sustained Damages by occasion of the non performance of his promise and assumption of to one thousand four hundred & fifteen pounds of tobe and the same

(Declaration)