

March Court --- 1726 -- 225

himselfe did assume and to the said Jos. then and there did faithfully promise that he the said James the said one thousand and fifty five pounds of tob. to the said Jos. when he should be thereunto requested he would well and faithfully pay and content and altho the said James ninety one pounds of tob. per cell of the said Debt to the said Jos. he hath paid and satisfied yet as to the residue thereof being nine hundred sixty and four pounds of tob. of said James he promise and assumption as in forme as made nothing regarding but getting of friends: kindly intending the said Jos. in that part craftily and subtly to deceive & defraud the said nine hundred and sixty four pounds of tob. to the said Jos. hath not paid altho the same to doe the said James was often thereunto requested but the same to him liketh to pay hath refused and still doth refuse and deny to the damage of the said Jos. of Nineteen hundred and twenty eight pounds of tob. & thereupon he brings suite vsd Shaloff fud gley & Duck Hoe

	James Berry	-----	2 ^m contra	-----	36
1722.	To Lewis d 121	-----	121: 1722 134 9 14 ^o	-----	36
	To Southey Whittington	-----	300	134 9 ^o M. Billing	55
	To Gresham Examiner	-----	70	134 Balance	84
1723.	To Lewis d 140	-----	140		<u>10 56</u>
	To Examiners fees for Tow Er Hill	-----	60		
1724.	To Lewis d 89	-----	89		
	To Examiners fees to Gresham	-----	60		
1725.	To Interest	-----	188		
1726.	To ditto	-----	77		
		-----	<u>1056</u>		

Saving Errors of
Joseph Inglester

A Copy of the foregoing declaration and aud. were made and sent to be served on the said James Berry with the writ in the plea as bid

Att which said third Tuesday of March to witt the twenty first day of the same month and dovid one thousand seven hundred and twenty six being the day of the Return of the said writ Cometh the said Jos. Inglester by his attorney and the Sheriff 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 vid Copi Conguad: del in tua fine francobla stand

And the said James Berry being present here in Court is at the prayer of the plaintiffs attorney and adjudged to give special Bail to the action and thereupon a certain Freeholder of the County of Somerset and planter present here in Court undertakes for the said James Berry that if in case the said Jos. Inglester shall recover Judgment in the plea as of the said James Berry or that the said James Berry shall be therein convicted that then he the said James Berry shall pay the Condemnation of the Court thereupon or tender his body to the custody of the Sheriff of Somerset County in Satisfaction thereof or that he the said Thomas Collins will do it for him