

March Court. 1730 ----- 67

at the prayer of the plaintiff by his attorney aforesaid is adjudged to give Special bail to the action of
Whosoever a certain Matthew Hopkins of Somerset County Gent^l. present himself in
his proper person undertakes for the said John Charles that if in case the said Matthew
should recover Judgment in the plea aforesaid against the aforesaid John Charles or that the
said John Charles should be known Comitt that then he the said John Charles shall pay the
condemnation of the Court thereupon or Render his body to the custody of the Sher^{iff} of
Somerset County in Satisfaction thereof or that he the said Matthew Hopkins will do it
for him thereupon the said John Charles by in his own proper person appears and judges
well next Court &c.

Francis Allen } Command was Given to the Sher^{iff} of Somerset County that he should take the said
Walter Jacobs } Walter Jacobs late of Somerset County Joyner if he should be found in his bayly:
with and him should safe keep so that he might have his body before our Justices
of his Lordship's County Court of Somerset to be hold at dividing Creek the third Tuesday of
March then next to answer unto Francis Allen in a plea of trespass upon the case &c. and that
tho' of he should not fail &c.
and the said Francis Allen by Leon Gale his attorney complains against the said Walter Jacobs in the
plea aforesaid as follows to wit.

Somerset County P. Walter Jacobs Late of Somerset County Joyner was
attached to answer unto Francis Allen of a plea of trespass upon the case &c.

And whosoever the said Francis by Leon Gale his attorney complains that whereas the said
Walter the first day of June and Dow. One thousand Seven hundred and thirty at Somerset County
within the Jurisdiction of this Court was Judged unto the said Francis Allen in four hundred &
Sixty One pounds of Tobacco for so much by the said Walter of the said Francis before that time
had borrowed and received as by an amount known to us may in Court appear and being so
tho' of Judged the said Walter in consideration thereof the day and year aforesaid in the
County aforesaid upon himself did assume and to the said Francis then and there did faithfully pro-
mise that he the said Walter the aforesaid four hundred and Sixty One pounds of Tobacco to the
said Francis when he should be known to requested he would well and faithfully pay and content
nevertheless the said Walter his promise and assumption aforesaid in form aforesaid made nothing
regarding but plotting and fraudulently intending the said Francis in that part secretly and publicly
to deceive and defraud the said four hundred and Sixty One pounds of Tobacco to the said Francis altho'
the same to do the same Walter by the same Francis on the aforesaid first day of June in the year
aforesaid and often afterwards at the County aforesaid within the Jurisdiction aforesaid was known to
requested hath not paid or contented but the same to him hitherto to pay or content hath refused and
will doth refuse and deny to do Damage of the said Francis of nine hundred pounds of Tobacco &c.
upon he brings this &c. Leon Gale p. adges &c. de doe Alloe

1730 Walter Jacobs
To one h^d. of Tobacco Sent you ----- 461
Errors Omitted of me Francis Allen

Copy of the foregoing declaration and amount were made and sent to be served on the doct^r with the
writ