

August Court . . . . . 1740 . . . . . 14

Francis Tate . . . . . Dr.      Contract . . . . . Cr.  
To three hundred eighty nine pounds of pork }  
at Seventeen Shillings per Hundred . . . } 3<sup>l</sup> 6<sup>s</sup> 1<sup>1</sup>/<sub>2</sub>      By ten Shilling and six pence . . . 0, 20, 11, 6

February ye 15<sup>th</sup>: 1739/40      Error Excepted from W<sup>m</sup> Jones

Somerset County March ye 19<sup>th</sup>: 1739/40      Then Com<sup>rs</sup> William Jones before me the Subscriber one of  
his Lordships Justices of the peace for the said County and proved the above account in Common form

{ before M<sup>r</sup> Ashill

At which day here came the a<sup>ps</sup>: William Jones by Robert Jenckins Henry his attorney and  
the sheriffe to wit John Henry gent: now here returned that he had taken the a<sup>ps</sup>: Francis Tate whose  
body hereat this day he had ready to answer the a<sup>ps</sup>: William Jones of the a<sup>ps</sup>: plea as to him it was  
Commanded and further the a<sup>ps</sup>: Sheriffs returned that he had served the a<sup>ps</sup>: Francis with a copy of  
the declaration abovesaid according to act of assembly in such case provided &c.

Whereupon came hereinto Court a certain James Anderson and Abraham Heath in their  
proper persons and undertook and each of them undertook for the said Francis Tate (Libertine  
the said Francis Tate present herein Court in his proper person assumed upon himself) that  
if it should happen that Judgment in the plea a<sup>ps</sup>: should be rendered for the a<sup>ps</sup>: William Jones against  
him the said Francis Tate or that he the same Francis Tate should be therein convicted that then he  
the said Francis Tate should pay and satisfy unto the said William Jones the Judgment of  
the Court thereon or tender his body in execution of such Judgment to the prison of the sheriffs of the  
County a<sup>ps</sup>: in satisfaction thereof or that they the said James Anderson and Abraham Heath will do  
the same for him &c.

And the a<sup>ps</sup>: Francis Tate by George Douglas his attorney Cometh and defendeth  
the force and Injury when &c: and prayeth Leave thereof to Imparle here untill next Court to be held at  
Widewing the third Tuesday of August then next following and he hath it and the same day is  
given to the a<sup>ps</sup>: William here also &c.

At which day here came againe as well the a<sup>ps</sup>: William Jones as the a<sup>ps</sup>: Francis Tate  
by their attorney a<sup>ps</sup>: and whereupon the same Francis as before defends the force and Injury when &c:  
and says that he did not assume upon himself in manner and form as the plantiffs abovesaid against  
him hath complained and of this he puts himself upon the Contray &c: and the a<sup>ps</sup>: W<sup>m</sup>: in like manner  
Therefore it is Commanded the sheriffs that Immediately he should cause to come before his Lordships  
Justices &c.