

March Court 1741 262

herein Court at the prayer of the aforesaid Edmund Hough is adjudged to give speciall bail to the action
of ~~the~~ ^{Sherriff} ~~Sherriff~~ a certain Samuel Mills of Somerset County planter present here,
in Court in his proper person undertook for the said Thomas Pingally (Likewise the said Thomas
Pingally present herein Court as aforesaid upon himself) that if it should happen that Judgment
in the plea aforesaid should be rendered for him the aforesaid Edmund Hough against the same Thomas Pingally
or that he the same Thomas Pingally should be therein convicted that then he the said Thomas Pingally
should pay and satisfie unto the said Edmund Hough the Judgment of the Court thereupon or render
his body in Execution of such Judgment to the prison of the sherriff of the County aforesaid in satisfaction
thereof or that he the same Samuel Mills will do the same for him &c.

And the aforesaid Thomas Pingally by Robert Jandons Esq; his attorney comes and defends the force
and Injury when &c. and prays ~~leave~~ ^{leave} of the Court aforesaid and it is read unto him ~~the~~ ^{the} ~~condition~~ ^{condition}
of the above Obligation of the Same Writing and it is read unto him in these words the
Condition of the above Obligation is such that if the above bound Thomas Pingally him or his heirs
Executors administrators or assigns or any of them do make mould and Burn or cause to be made mould
and burnt for the aforesaid Edmund Hough him or his heirs Executors administrators or assigns the full
and Just quantity of Sixty Thousand eight good brick according to the Gauge of three Shillings and
Six pence of Thousand Country pay which said brick to begin the first day of August next
and to be finished and done by the first day of October next ensuing
Ensuing the date hereof then the above Obligation to be void and of noe Effect Otherwise to
be and remaine in full force power and virtue in Law which being read and heard the said Thomas
says that the aforesaid Edmund his action aforesaid thereof against him to have ought not because
he sayth that he did make mould and Burn for the said Edmund the quantity of Sixty Thousand good
Bricks according to gauge of three Shillings and Six pence of Thousand Country pay and did begin
the first day of August ^{and finish by the first day of October next ensuing} then next ensuing the date of the said Writing Obligatory according to the
form and Effect of the Condition aforesaid and this he is ready to verify wherefore he prays Judgment if
the aforesaid Edmund his action aforesaid thereof against him to have ought &c.

And the aforesaid Edmund Hough by his attorney aforesaid prays Leave thereof to Impale
here until next Court to be hold at dividing Creek the third Tuesday November then next following
and he hath it and the Same day is given to the aforesaid Thomas Pingally his also &c.

All which day here came againe as well the aforesaid Edmund Hough as the aforesaid Thomas Pingally
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