

August Court 1742 320
in the aforesaid plea in manner following - Sommerset p. James Timmons late of Sommerset County planter was attached to answer
unto Samuel Hopkins J^r of ap^{le} of Trespass upon the Case &c

And whereupon the said Samuel by George Douglas his attorney complains that whereas the said James the xiiij day of
October anno Domini MDCCLII at the County aforesaid was indebted to the said Samuel in Ten pounds five Shillings and Seven pence three
farthings current money of Maryland for divers matters properly chargeable in an account as by account thereof hereto annexed may
appear and so there of indebted being in consideration thereof afterwards to wit on the day and Year aforesaid at the County of
promised to pay to the said Samuel the said Sum of Last named when he the said James thereto afterwards should be requested
and altho the said James as to three pounds nine Shillings and three pence three farthings money aforesaid part of the said Ten
pounds five Shillings and Seven pence three farthings hath satisfied the said Samuel Nevertheless as to Six pounds Six Shillings and
four pence current money aforesaid Residue of the said Ten pounds five Shillings and Seven pence three farthings the said James his
promise and assumption aforesaid in form aforesaid made not Regarding but minding and fraudulently intending the said Samuel in
that part hastily and Subtly to deceive and defraud the said Residue to the said Samuel hath not paid or him for the same -
hitherto in any Sort Contented but that to do hitherto altogether hath Refused and Still doth Refuse altho afterwards to wit on
the day and Year aforesaid and Often Since that time by the said Samuel Required to the damage of the said Samuel Fifteen pounds
current money aforesaid and thereof being Sued &c.

Oct 14 1741 Mr James Timmons Dⁿ
To 1 hat 16/- 1 Saddle 50/- . . . £31 6s
3 yds Linen 23/9 flint 2/- . . . 13s 9
1 knife 1/- 2/- in paper money . . . 1s 2s 0
1 pound 2/- 2/- 1/2 at 7 1/2 . . . 3s 7 1/2
2 1/2 yds Cloth @ 28/- ff . . . 3s 17s
2 1/2 doz buttons @ 2/6 p^{ce} . . . 6s 3
2 Shirts hair 1/4 1 yd Shalloon . . . 24/- . . 17s 0
£10 5s 7 1/2

By Dear Sir London
By 278th port @ 22/6 3s 1s 3 1/2
£3 9s 3 1/2
Balance Due 6s 16s 1/4
10 5s 7 1/2
Errors Excepted of Sam^l Hopkins ..

and provided in that Case before Sam^l Martin

A Copy of the above declaration and account were made and Sent to be Served on the Defendant in Order for
a Speedy Tryal. At which day here came the aforesaid Samuel Hopkins by his attorney aforesaid and the Sheriff
to wit John Hardy Gent^lman now here Returned that he had Taken the aforesaid James Timmons whose body hereat this day he had
Ready to answer the aforesaid Samuel of the aforesaid plea as to him it was Comanded and further he doth Returned that he had
Served the aforesaid James with a Copy of the declaration of according to Act of assembly in such Case provided &c

Whereupon the said James Timmons being present herein Court in his proper person and thereupon the said James -
Timmons at the prayer of the aforesaid Samuel Hopkins J^r is adjudged to give Spanish Bail to the action aforesaid Whereupon came here-
into Court a certain John Timmons of Sommerset County planter in his proper person and undertook for the said James Timmons (the
wise the same James Timmons present herein Court as aforesaid assumed upon himself) that if it should happen that Judgment in the
plea aforesaid should be Rendered for the said Samuel Hopkins against him the said James Timmons or that the said James
Should be there in Court that then he the said James Timmons should pay and Satisfie unto the said Samuel Hopkins the Judgment of the