

Somersetts vs Peter Freney late of Somerset County planter was attached to answer unto Joseph Maulester of a plea of trespass upon the Case &c

And whereupon the said Jos: by Lewis Gale his attorney complains that whereas the said Peter the first day of Novemb: and Dow one thousand seven hundred and twenty six at Somerset County within the Jur: of this Court was Indebted unto the said Jos: in Eight hundred & twenty Eight pounds of tob: as by and hereunto annexed may in Court appear and being so thereof Indebted the said Peter in consideration thereof the day and year as at the place as upon himselfe did assure and to the said Jos: then and there did faithfully promise that he & said Peter the said Eight hundred and twenty Eight pounds of tob: to the said Jos: when he should be hereunto requested he would well and faithfully pay and fulfill never the less said Peter tho' often requested the said Eight hundred and twenty Eight pounds of tob: to the said Jos: hath not paid but the same to him either to pay hath refused and still doth refuse paying to the damage of the said Jos: of one thousand seven hundred and fifty six pounds of tob: and where of he bring' Suite &c

L. Gale of said County & John Kild Hall

Peter Freney		De
1722: To 2 Lewis @ 121 Each	-----	242
To Mr. Allen fee	-----	100
To Commitmt: & Suit of Martin	-----	040
1723: To 1 Lewis 180	-----	180
To Mr. Hayward fee	-----	9
To Mr. Hall fee	-----	18
To 1 Lewis 89	-----	89
To 4 years Interest	-----	180
		<u>828</u>

Saving Errors of Jos: Maulester

A Copy of the foregoing declaration and And: were made and sent to be served on the said Peter Freney with the writ in the plea as &c

At which said third tuesday of March to wit the twenty first day of the same month and Dow one thousand seven hundred and twenty six being the day of the return of the said writ Cometh the said Jos: Maulester by his attorney as & the sheriff of Somerset County to whom the foregoing writ was directed & he wth Cometh & maketh Return thereof to the Court here Endorsed in these words ^{following} viz: - Leg: Legum: Delivered in time of Francis Allen Sheriff

Whereupon the said Peter Freney being called appears and thereupon the said Peter Freney at the prayer of the said attorney as & is adjudged to give Special Bail to the action as & whereupon a certain Sir Caldwell late of Somerset County Gent present here in Court undertakes for the said Peter Freney that if in Case the said Jos: Maulester shall recover Judgment in the plea as & against the said Peter Freney or that the said Peter Freney shall be therein Convict that then the said Peter Freney shall pay the Condemnation of the Court thereupon