

1731 ————— 183

March Court
 Sum of three Pounds seven Shillings and one penny half Penny according
 to the tenour of the Note aforesaid and so being Lyable the aforesaid James in consideration
 thereof afterwards to wit the Same ~~was~~ twenty Sixth Day of April -
 which was in the Year of our Lord God Seven teen hundred and thirty one
 aforesaid at Somerset County aforesaid upon himself did assume and to
 the Same W^m Gasitt then and there faithfully did Promise to pay unto
 the aforesaid W^m Gasitt the aforesaid Sum of money according to the tenour
 of the Note aforesaid Never the less the aforesaid James his Promise and Assumption
 aforesaid nothing regarding but minding and fraudulently intending the Same
 W^m Gasitt in this Part craftily and Subtily to deceive and defraud the
 aforesaid sum of Money or any part thereof unto the Same W^m Gasitt hath
 not paid altho' to do the Same by the aforesaid W^m Gasitt afterwards to wit the
 first Day of May in the Year of our Lord God Seven teen hundred and thirty
 one at the County of the aforesaid James was required) but that unto him -
 hitherto to pay altogether hath refused, and still doth refuse and to -
 the Damage of the Same W^m Gasitt Seven pounds and there upon he -
 being Suit - Pledge ~~was~~ Judas and P. Hood
 Wiltshire -

At which said third Tuesday of March to wit the twenty first Day of the Same month the aforesaid
 Seven hundred and thirty one being the Day of the Return of the said W^m Gasitt
 by his attorney aforesaid and the Sherrif of Somerset County to whom the foregoing writ was directed Libe-
 rally Cometh and made the Return thereof to the Court here endorsed in these words following vizt -
 Capi Corpus of Joshua Caldwell

Where upon the said Sherrif altho' solemnly called bring not in the body of the said James
 Andrew according to his return of the writ in the plea aforesaid
 Where upon the said W^m Gasitt by his attorney aforesaid pray that the aforesaid Sherrif to wit Joshua
 Caldwell Gent. may be amerced to his Lordship his Damages and Costs for his default aforesaid
 That for it is considered by the Court here the day and Year aforesaid that the Sherrif aforesaid
 to wit Joshua Caldwell Gent. be amerced to his Lordship the Lord Proprietary the Sum of
 three pounds seven Shillings and one penny half penny and two hundred and eleven pounds
 of Tobacco for his non compliance with the tenour of his return aforesaid and of the be in every Res.

His Lordship
 W^m Horsey -- } Memorandum that this Seventh Day of January Ann^d Dom 1731
 Came W^m Horsey Planter of Somerset County in the Province of
 Maryland with John Horsey Marine and Dorman Heath
 Planter his Securities both of the County and Province aforesaid -
 before me W^m Sloughton one of his Lordships the Lord Proprietary Justices
 of the Peace in the County aforesaid to keep assigned and acknowledged themselves - to