

and to the said Joshua then and there faithfully promise that he the said Joseph the said four thousand three hundred and two pounds of tobacco when afterwards he should be thereto required would faithfully pay and content and altho the said Joseph hath since payed to the said Joshua the sum of two hundred and eighty five pounds of tobacco part of the said four thousand three hundred and two pounds of tobacco Never the less as to four thousand and sixty seven pounds of tobacco - Residue of the said four thousand three hundred and two pounds of tobacco the said Joseph his promise and assumption of in form of - made nothing regarding but minding and fraudulently intending the said Joshua in that part craftily and subtilly to deceive and defraud the said four thousand and sixty seven pounds of tobacco to the said Joshua hath not paid him for the same in any sort contented but the same to him to pay hath altogether refused and still doth refuse altho that to doo afterwards to with the day and year af- at the County of and often since that time the said Joseph by the said Joshua was required whereupon the said Joshua says he is damnified fifty pounds Curr- money of Maryland and thereof he brings Suit &c

1795 m<sup>r</sup> Joseph Maulester shes. In

To List of fees to collect . . . . .	3984	Contra . . . . .	0
To years Interest is . . . . .	318	By your Commission 26 p a agreement	235
	<u>4302</u>	Balance due to me . . . . .	4067
		Errors Excepted of Jos Caldwell . . . . .	<u>4302</u>

And afterwards to with the sixteenth day of March and To<sup>d</sup>. One thousand Seven hundred & Thirty five before the Justices of his Lordships County Court of Somerset now here hold in the Court house at Dividing Creek in for the same County: One William Beekingham and George Douglas of Somerset County Gentlemen in their proper persons and undertook and each of them undertook and assumed upon themselves [whereas the same Joseph Maulester present here in Court in his proper person assumed upon himself] that if it happen that Judgment in the plea af- in the Court should be rendered for the same Joshua against the same Joseph or that the same Joseph should be therein convicted that then the same Joseph should pay & satisfy to the said Joshua the Judgment of the Court thereupon or Render his body in Execution of such Judgment: which they the said William Beekingham and George Douglas will do the same for him &c

And the said Joseph Maulester by Robert Jenkins Henry his attorney Cometh and defendeth the force and injury wherof and prayeth Leave thereof to Imparle here until the third Tuesday of June ~~annu~~ <sup>and seven hundred & thirty six</sup> and he hath it, and the same day is given to the said Joshua here also &c

All which day here came againe as well the said Joshua Caldwell as the said Joseph Maulester by their attorneys &c And whereupon the same Joseph prayeth further Leave thereof to Imparle here until the third Tuesday of August ~~annu~~ <sup>and seven hundred & thirty six</sup> and he hath it and the same day is given to the said Joshua here also &c

All which day here came againe as well the said Joshua Caldwell as the said Joseph Maulester by their