

March Court ..... 1736 ..... 30

W<sup>ch</sup> Richard Gildart Esq<sup>r</sup>

vs  
Joseph Maulester

Command was given to the Coronor of Somerset County that he should take Joseph Maulester Late of Somerset County Gent. Otherwise called Joseph Maulester of Somerset County Gent. if he should be found in their Bailiwick and him should safe keep so that they might have his body before the Justices of his Lordships County Court of Somerset to be hold in the Court house at Dividing Creek in the same County the third Tuesday of November and ~~and~~ One thousand seven hundred and thirty six to answer unto Richard Gildart Esq<sup>r</sup>. of plea that he tender unto him the Sum of four thousand two hundred thirty & three pounds of good sound merchantable leaf tobacco and Cash white unto him he or else and was justly detaineth &c. and that those of them should not fail &c.

All which day ~~before~~ before the Justices of his Lordships County Court of Somerset hold at Dividing Creek in and for the same County. Came the s<sup>d</sup> Richard Gildart by Will<sup>m</sup> Goldborough his attorney and the Coronor of the same County here returned that they had taken the s<sup>d</sup> Joseph Maulester whose body here at this day they have here ready to answer the s<sup>d</sup> Richard Gildart of the s<sup>d</sup> plea as to them it was commanded ..

Whereupon after that William Berkeley and George Douglas of Somerset County Gents came here before his Lordships Justices at Dividing Creek a<sup>d</sup>, in their proper persons and undertook and each of them undertook and affirmed upon themselves (likewise the same Joseph Maulester present here in Court in his proper person affirmed upon himself) that if it should happen that Judgment in the plea a<sup>d</sup> in the same Court, should be rendered for the same Richard Gildart, against him the s<sup>d</sup> Joseph Maulester, or that the said Joseph Maulester should be thereto convicted, that then he the said Joseph Maulester should pay and satisfy unto the said Richard Gildart, the Judgment of the Court hereupon or tender his body in execution of such Judgment, to the prison of the ~~County~~ County a<sup>d</sup>, there to remain until the same Judgment be fully satisfied, unto the same Richard or that they the same William Berkeley and George Douglas will do the same for him.

And whereupon the same Joseph Maulester puts in his plea William Berkeley against the s<sup>d</sup> Richard Gildart of the plea a<sup>d</sup> and upon this day is given to the parties here before the Justices of his Lordships County Court of Somerset until the third Tuesday of March then next following in the state wherein they now are ~~standing~~ <sup>in the plea a<sup>d</sup></sup> all which day here came againe as well the s<sup>d</sup> Richard Gildart as the s<sup>d</sup> Joseph Maulester by their attorneys a<sup>d</sup>. and hereupon the same Richard Gildart declared against the said Joseph <sup>Maulester</sup> in the plea a<sup>d</sup> in form following

Following