

March Court ..... 1736 ..... 31

to answer unto Richard Gildart Esq<sup>r</sup> of a plea of trespass upon the Case &c. and that therefore they should not fail &c. All which day here before the Justices of his Lordships County Court of Somerset at Diving Creek came the Esq<sup>r</sup> Richard Gildart by William Goulsborough his attorney and the Coroners of the same County here returned that they had taken the Esq<sup>r</sup> Joseph Maulester whose body here at this day they have ready to answer the Esq<sup>r</sup> Richard Gildart of the aforesaid plea as to them it was commanded &c. Whereupon certain William Beckingham and George Douglas of Somerset County Justices in their proper persons <sup>here being</sup> before the Justices and undertook and each of them undertook for the same Joseph Maulester 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 aforesaid in the same Court should be rendered for the same Richard Gildart against him the said Joseph Maulester or that he the said Joseph Maulester should be therein convicted that then he the said Joseph Maulester should pay and satisfy unto the said Richard Gildart the Judgment of the Court thereupon or Render his body in Execution of such Judgment to the prison of the County aforesaid thereto Remain until the same Judgment be fully satisfied unto the same Richard or that they the same William Beckingham & George Douglas will do the same for him.

And Whereupon the same Joseph Maulester puts in his place William Beckingham <sup>gent</sup> against the Esq<sup>r</sup> Richard Gildart of the plea aforesaid 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 <sup>the parties aforesaid</sup> &c. All which day here came againe aswell the Esq<sup>r</sup> Richard Gildart as the Esq<sup>r</sup> Joseph Maulester by their attorneys aforesaid and hereupon the same Richard Gildart declared against the said Joseph Maulester in the plea aforesaid in form following Somerset County s<sup>t</sup> Joseph Maulester late of Somerset County Just. was attached to answer unto Richard Gildart Esq<sup>r</sup> of a plea of trespass upon the Case &c.

And Whereupon the same Richard by William Goulsborough his attorney complains that whereas a certain William Beckingham the eighteenth day of February in the year of our Lord God seventeen hundred thirty and five at Somerset County aforesaid (the same William Beckingham then and there negotiating and Commerce using) his certain bill in writing according to the use and custom of Merchants from time whereof the memory of man is not to the contrary used and approved did make and with his proper hand subscribe bearing date the