

That the said Joseph Maulester should be Comitted that then he the said Joseph Maulester should pay e  
Satisfie unto the said Richard Davies the Judgt. of the Court thereupon or tender his body in Execution of  
such Judgm<sup>t</sup> to the prison of the County and there remaine untill the same Judgt. be fully Satisfid unto the  
same Ric<sup>d</sup> and or that they the same William Buckingham and Geo. Douglas will do the same for him -

And Whereupon the same Joseph Maulester put in his place William Buckingham Esq<sup>r</sup> Attorney at Law  
against the said Richard Davies of the said Plea and upon this day is Given to the parties and here before  
this Court the County Court of Somerset at <sup>to the said</sup> ~~dividing~~ <sup>the said</sup> ~~place~~ <sup>place</sup> untill the third Tuesday of next month next  
following in the State wherein they now are <sup>to the said</sup> ~~place~~ <sup>place</sup> All which day here come againe as well the said  
Richard Davies as the said Joseph Maulester by their attorneys and hereupon the same Richard  
Davies declared against the said Joseph Maulester in the plea aforesaid in form following -  
Somerset County s<sup>r</sup>. Joseph Maulester late of Somerset County Gentleman was attached to  
answer unto Richard Davies of a plea of trespass upon the Case -

And Whereupon the same Richard by William Goldborough his attorney complaineth  
that: he as the said Joseph after the first day of may in the year of our Lord God seventeen  
hundred thirty and five to wit the thirtieth day of may Anno Dom<sup>o</sup> seventeen hundred thirty and  
three at Somerset County a<sup>s</sup> did draw his certain note in writing called a promissary note  
with his proper hand subscribed bearing date the day and year last mentioned and that note  
with the said Richard then and there did deliver by which said note the same Joseph  
did promise to pay unto the same Richard or order the Quantity of sixteen hundred and thirty one  
pounds of tobacco and eight shillings Curr<sup>t</sup> money of Maryland for value received and by  
Reason thereof as also by force of the statute in such case lately made made and provided the  
same Joseph became lyable to pay unto the same Richard the said Quantity of tobacco and money  
According to the tenor of the note a<sup>s</sup> and so being lyable the said Joseph in consideration  
thereof afterward to wit the same thirtieth day of may Anno Dom<sup>o</sup> seventeen hundred thirty  
and three a<sup>s</sup> at Somerset County a<sup>s</sup> upon himself did assume and unto the same Richard then  
and there faithfully did promise to pay unto him the said Quantity of tobacco and money according to  
the tenor of the note aforesaid Nevertheless the aforesaid Joseph his promise and assumption of nothing  
regarding but minding and fraudulently intending the same Richard in this part craftily and subtly  
to live and defraud the said Quantity of tobacco and money or any part thereof unto the  
same Richard hath not paid (altho' to do the same by the said Richard afterwards to wit  
the tenth day of July Anno Dom<sup>o</sup> seventeen hundred thirty and three a<sup>s</sup> and often afterward  
at the County a<sup>s</sup> the said Joseph was required) but that unto him hitherto to pay altogether