

August Court 1740

And hereupon the said James complained against the aforesaid Joseph in the plea aforesaid in form following - viz..

Somerset p. Joseph Maulester late of Somerset County Gentleman was attached to answer unto James Martin of a plea of the part upon the law &c.

And whereupon the said James by George Douglas his attorney complains that whereas the said Joseph on the first day of June anno. Dom. seventeen hundred and thirty nine at the County aforesaid was indebted to the said James Martin in the sum of one hundred and nine pounds ten shillings current money of Maryland for sundry matters and properly chargeable in Account as by an Account thereof hereto annexed may appear and so being thereof indebted afterwards to wit the day and year aforesaid at the County aforesaid on Consideration thereof upon himself did assume and to the said James then and there faithfully promise that he the said Joseph the said sum of one hundred and nine pounds ten shillings when he should be afterwards thereto required to the said James he would faithfully pay and content never theless the said Joseph his promise and assumption aforesaid in form aforesaid made not regarding but minding fraudulently intending the said James in that part craftily and subtilly to deceive and defraud the said one hundred and nine pounds ten shillings to the said James hath not paid or him for the same in any sort contented but that to doo hitherto hath refused and still doth refuse altho' thereto afterwards to wit on the day and year aforesaid at the County aforesaid and often since that time by the said James Martin required whereupon he says he is damaged one hundred and thirty pounds current money of Maryland and thereof he brings suit &c.

Judge v. J. Doe R. Roe

Dr. Joseph McClester to James Martin

June 11	To paid for you to Mr. Thomas Hayward p. request	£ 73-10-0
1739	To paid for you to Honorio Rozalini p. request	36-00-00
		<hr/>
		109-10-00

Errors Excepted p James Martin

And the said Joseph Maulester by his attorney aforesaid cometh and defendeth the force and Injury when &c. and pray Leave thereof to Impare here untill next Court to be held at dividing Creek in and for the County the third Tuesday of June then next following and he hath it and the same day is given to the aforesaid James here also

At Which day here came again as well the aforesaid James Martin as the aforesaid Joseph Maulester by their attorney aforesaid and whereupon the said Joseph prayeth further Leave thereof to Impare here untill next Court to be held at dividing Creek in for the County aforesaid the third Tuesday of August then next following and he hath it and the same day is given to the aforesaid James here also ~

At Which day here came again as well the aforesaid James Martin as the aforesaid Joseph Maulester by their Attorneys aforesaid and whereupon the said Joseph before defends the force and Injury when &c. And says that he did not assume upon himself in manner and form as the aforesaid James above against him hath complained and of this he puts himself upon the Country And the plantiffe in like manner -

Therefore it is Comanded the Sheriff that Immediately he should cause to Come here before his Lordships Justices at about then held at dividing Creek twelve &c. by whom &c. and who neither &c. to Recognize &c. because as well &c. and whereupon the aforesaid Joseph relinquisheth his Verification aforesaid by him above pretended and saith that he cannot gain say the action aforesaid of the aforesaid James Martin nor can he say but that he