John Gould — } Command was given to the
vs. Sheriff of Queen Anns County that
Nathaniel Comegyes } he should take Nathaniel Comegies of
of Queen Anne County Planter if he should be found
in his bailywick and him should safe keepe that he might have
his body before the Justices of Her Ma:ties of Her Ma:ties Prov: Court
to be held at Annapolis the second Tuesday of April then next to answer
unto John Gould Mariner of a plea of trespass upon the Case
attwell said second Tuesday of April to wittt the 11 day of the same month
anno Dom: 1710 being the day of the returne of the said writt Comegas wife
the said John Gould by Thomas Macnemara his attorney as the Sheriff of
Queen Anne County (to wittt) Richard Filghman Gent who made returne
to the Court here of the foregoing precept to him directed that by Vertue
thereof he has taken the body of the said Nathaniel Comegys and has
him here ready &c. Whereupon the said Nathaniel Comegys being called
appeares — And thereupon the said Nathl Comegys at the prayer of the
plaintiff is adjudged to give speciall Bayle to the action aforesaid forthwith
thereof the said Nathl Comegys at the prayer of the plaintiffs aforesaid is committed
into the Custody of the said Richard Filghman there to remaine untill &c.
The said Filghman being present took Charge of the said Nathl accordingly
and thereupon the said John Gould by his attorney aforesaid declares against
the said Nathl Comegys in Custody as aforesaid as follows Viz:

Maryland ss. Nathaniell Comegies of Queen Anns County planter was attached
to answer unto John Gould Mariner of a plea of trespass upon the Case

And whereupon the same John Gould by Thomas Macnemara his attorney
Complaines that whereas the aforesaid Nathaniell Comegys the fifth day of December
1706 at the City of Annapolis according to the Customs between Merchants
and others of this province of Maryland, and the City of London in England
used and Accustomed made and drew his first bill of Exchange with his proper hand subscribed
bearing date the day & yeare aforesaid and to a certaine Mr. Brown Merchant in
London residing and negotiateing directed and by the same bill requested
the same peregrine at thirty days sight of such bill of Exchange (this second
bill of the same tenor & date not paid) to pay unto a certaine John Downing
or his order the sume of Ten pounds he the said for value received w:ch bill
afterwards at the County aforesaid and before sight thereof had by the same Mr.
the aforesaid John Downing by Endorsment with his proper hand subscribed according
to the Custome aforesaid transferred to the same John Gould and ordered the said 10:6:0
to be paid to the aforesaid John Gould for value of him received whereof the said Mr.
afterwards to wittt the 10 day of June anno Dom: 1707 at the City of London to
wittt in Annarundell County had notice & then & there was required to
pay the said 10:6:0 to the same John Gould and the same John Gold in
fact saith that the aforesaid peregrine after sight having thirty days sight of the said
bill and notice as aforesaid hath not hitherto paid the same John Gold the
said 10:6:0 And that for want of payment thereof by the same
peregrine the same John Gould on the aforesaid tenth of June anno 1707
and at London aforesaid to wittt in Annarundell County caused to be protested the
said

said first bill (the second and third of the same tenor and date not paid)
according to the Customs aforesaid whereof the said Nathaniel Comegies the 9th day
of December 1707 had notice to wittt at Annarundell County — and the same John Gould
in fact saith that he at Annarundell County said the sum of 10:6:0 by reason where
to the same John Downing to wittt the tenth day of December 1706 became payable to the payne
of the Customs aforesaid in the said first bill mentioned to the same John Gould and
the said 10:6:0 for in the said first bill mentioned to the same John Gould and
that the said Nathaniel in Consideration of the premises and of the Customs aforesaid
the ninth day of December 1707 at Annapolis aforesaid promised that he the said
and to the same John Gould then & there faithfully & promised that he the said
Nathaniel the said 10:6:0 log cathier & all damages & charges & costs by
the same John Gould suffered or to be suffered by reason of the premises aforesaid to
the same John Gold upon or afterwards thereunto & good would & truly
content & pay — Nevertheless the said Nathaniel his promise & faithing
the said Gould regarding but plotting & fraudulently intending the said
Gould in that behalf craftily & subtilly to deceive and defraud the said
log cathier will the damages & charges & costs of the protest aforesaid to the same
Gold hath not paid Cathier to pay the same the said Nathaniel but the same to him
the 10th day of December 1709 at the County aforesaid was requested but the same to him
to pay the said Nathaniel hitherto hath & yet doth deny whereupon the said John Gould saith
he is damnified & hath damage to the value of twenty pounds sterling & therefore he brings his
suite &c.

Whereupon the said John Gould by his attorney aforesaid prays that a Copy of the
above decl: in the plea aforesaid may be made and delivered unto the said Nathaniel Comegies
the Sheriff of Queen Anne County aforesaid to be served upon the said defendant in Custody
as aforesaid in order for his appearance at next Court which is granted — and thereupon day
is given to the said Nathl Comegys in Custody as aforesaid to answer unto the said
plaintiffs above decl: in the plea aforesaid until next Court to the same days is
given to the plaintiff as aforesaid attwell said next Court to wittt the day
of July anno Dom: 1710 Comes again the said John Gold by Thomas
Gold his attorney and William Hurlo Gent Sheriff of Queen Anns County
Court returnes to this Court the following Bayle in these words Viz:

John Gould plaintiff — } You Carpenter Lilling Rond and Humphrey Fell
vs. } and either of you do undertake for the said
Nathaniel Comegies defend't } Nath: Comegis to defend in Eight thousand pounds
of tobo: to be levyed on your and either of your land
and tenements goods & Chattels to the use of the said John Gould
the plaintiff upon condition that if the said John Gould do obtaine judgment
in an action of Trespass upon the case according in the Court against
the said Nathl Comegys the Defendant that then the said Nathl Comegys
shall pay the condemnation or deliver himself to the prison of our Soveraigne
Lady the Queen or you will do it for him then we acknowledge themselves
to be content therewith this twenty Eighth day of April Anno Dom: 1710

Before me — Wm Hurlo

To the Sheriff of the prov: Court

Whereupon the said Nathaniell Comegys in his own
proper person comes and defends the force and injury when &c.
Says that he cannot gainsay the plaintiffs action aforesaid
and against him brought nor can he say but that the said
(plaintiff)