

March Court --- 1723 --- 174

Benjamin Wailes } memorandum the plff by his attorney said out his Lordships writ of Sum. facias agt
ag^t } the debts the tower whereof follows in these words viz
of Henry Williams & Ugon } Somerset County: Charles absolute Lord and proprietor of the graveries of
admt^r Tho Taylor } manor and avallon Lord Baron of Baltimore &c To the Sherif of Somerset County

Whereas a certain Benjamin Wailes of Somerset County Duon. Shire lately in the County
Court of Somerset on the twenty second day of November in the second year of our Dominion &c and Dead
one thousand seven hundred and sixteen be fore the worshipfull Charles Ballard and his associates then
Justices of our said Court (at dividing Bench) and by Consideration of our said Court recovered against a certain
Thomas Taylor of Stegney parish in Somerset County as well the sum of eight hundred and eighty five pound
of tobacco absolute debt as also the sum of two hundred and fifteen pound of tobacco Costs of Sale whereof he
is Compt as by the record and process thereof in our said Court remaining manifestly appears, and afterwards
the said Thomas Taylor died Intestate as his said after whose death administration of all and singular the goods
Chattels Rights and Credits which were of the said Thomas at the time of his death to Alice his wife was in due form
of Law was committed, and whereas the said Alice after the administration aforesaid to her committed, Intestate
with a certain Henry Williams of Stegney parish in the County of Gloucest. as by the Insinuation of the said Benjamin
Wailes we have received and altho' Judgment be thereupon rendered Nevertheless Execution of the debt & Costs aforesaid
to him the said Benjamin as yet remains to be done Whereupon he hath prayed us for a proper remedy to him in
that part to be provided and we being willing that those things which in our said Court are lawfully done should be
brought to due Execution Comand you that by good and Lawfull men of your Bailiwick you make known
unto the said Henry Williams and Alice his wife aforesaid as aforesaid if they shall be found in your Bailiwick that they be
and appear before the Justices of our said Court to be holden at dividing Bench in Somerset County aforesaid the third Tuesday
of August next to show Cause if any thing for them or for they have or have to say why the said Benjamin Wailes his
Execution of the debt and Costs aforesaid against them the said Henry Williams and Alice his wife aforesaid or aforesaid according to the
form of the recovery aforesaid he ought not to have of the goods and Chattels which were of the said Thomas Taylor at the time
of his death in their hands remaining to be administered if so much thereof in their hand. they have if to him it shall
seem meet and further to do likewise what our said Court shall consider of and have you than send these the Names
of those by whom you made the same known and this writ with the said Charles Ballard your Chief Justice of our said
Court the 19th day of June in the 8th Year of our Dominion &c and Dead 1723: followe Thomas Hargreaves
At which said third Tuesday of August to wit the twentieth day of the same Month and Dead one thousand seven
hundred and twenty three Being the day of the return of the said writ Com. the said Benjamin Wailes by Francis
Allen his attorney and the Sherif of Somerset County to whom the foregoing writ was directed Likewise Com. &
and make return thereof to the Court here Endert in these words. following viz. By virtue of the within
writ to me directed to the Justices within Mentioned I certify that I have made known unto the within
named Henry Williams and Alice his wife aforesaid of the within named Thomas Taylor dead that they be appear
before the Justices within Mentioned at the time and place within Contained before to show Cause if any thing
have why the within named Benj. Wailes should not have his Costs against them for Debt & Costs within Contained
be fore Griffith Williams and Charles Williams good & Lawfull men of my Bailiwick as by the within writ
I am Comanded so answer - Jos. McCarter Sherif

And the said Henry Williams and Alice his wife aforesaid as aforesaid by George Dashiell their attorney Com. &
(Signed)