

March Court --- 1724 --- 273

William Emalls we have Received and because we with those things which in Our said Court are Rightly done and acknowledged Should be brought to adue Execution, Command you that by good and Lawfull men of your Bailiwick you make Known unto the said Nehemiah Nicholson that he be and appear before the Justice of Our County Court to be held at Diving Creek the third Tuesday of March next, to shew Cause if any for himselfe he hath to say why the afo William Emalls his Execution of the Judgment afo according to the acknowledgment and form of the Recovery afo, he ought not to have if to him it shall seem meet and have you than and there the Names of those by whom you make of same Known and this Writ Witness Samuel Hopkins Gentleman Chief Justice of Our said Court the 11. day of December in the 4. Year of Our Dominion do. annd 1724 --- H. Allen, Thomas Hayward Secy

At which said third Tuesday of March to wit the Sixteenth day of the same month annd. --- Do. One thousand Seven hundred and twenty four being the day of the Return of the said Writ Com. the said William Emalls by his attorney afo and the Sher. of Somerset County to whom the foregoing Writ was directed ^{likewise Com. the} Return thereof to the Court here Endorsed in these words following viz

By virtue of the within Writ to me directed to the Worshipful Lordships Justices within mentioned, I humbly Certifie that on the fifteenth day of March Instant I have made Known unto the within Named Nehemiah Nicholson that he be and appear before the Justice within Named at the time and place within mentioned to shew Cause why William Emalls, within Named Execution of the Judgment within mentioned ought not to have, if to him it shall seem meet before William White and Jos. Dashed good and Lawfull men of my Bailiwick as by the within Writ I am commanded so answer

Whereupon the said William Emalls by his attorney afo prays that the said Nehemiah Nicholson to his writ of Surfacies afo may answer, But the said Nehemiah Nicholson altho solemnly called Cometh not nor shews Cause why &c but makes default whereby the said afo Remains against the afo debt thereof undefended &c. --- Therefore it is considered by the Court here the Sixteenth day of March annd Do. One thousand Seven hundred & twenty four afo that the said William Emalls have Execution against the afo Nehemiah Nicholson of the Judgment afo, as well for the Sum of Nineteen pounds five Shillings and Seven pence Curr. money certain damages as also the Sum of three hundred and Sixty pounds of Tobacco Costs of Suite in the Judgment afo Specified as also for the sum of three hundred and Twenty six --- pounds of Tobacco by the Court here adjudged unto him for his Costs and damages Sustained by Quasion of delay of Execution of the Judgment afo &c

H. A. Edmund Hough } Command was given to the Sher. of Somerset County that he should take
Hammond - } John Hammon Sate of Somerset County Caster if he should be found in his
(bailiwick)