

June Court . . . 1723 . . . 56

and bring into Court here the Several Letters Testamentary of by which

of Allen & Thomas: Esqrs. deff: In Doe & Child: Rec

Att which said third Tuesday of June to wit the Eighteenth day of the same month And Dow: One thousand Seven hundred and twenty three bring the day of the return of the said writ of Habeas Corpus by their attorney and the Sheriff of Somerset County to whom the foregoing writ was directed Licitur Curia and makes Return thereof to the Court here Endorsed in these words viz: - Capi Corpus ff Jos: M: Carter Sheriff

Whereupon the said Philip Taylor being called appears and at the prayer of the Esqrs by their attorney and is adjudged to give Special Bail to the action and thereupon certain Messrs Silman of Somerset County Clerk of Court here in Court under later for the said Philip Taylor that in case the said Esqrs shall recover Judgment in the Case against the said Philip Taylor or that the said Philip Taylor shall be therein convicted that then to the said Philip Taylor shall pay the condemnation of the Court thereupon ^{thereupon} or Render his Body to Custody of the Sheriff of Somerset County in Satisfaction thereof or that the said Messrs Silman will do it for him

Whereupon the said Philip Taylor comes & defends the force and Injury whereof And says that he cannot gain say the Esqrs their action against them Brought nor can he say but that the Writing Obligatory is his act and deed, and that the Debt therein mentioned is both due and levied and wherefore the said Esqrs pray Judgment for their Debt and their Costs and damages sustained by Occasion of detaining the same Debt, to them to be adjudged

Therefore it is considered by the Justices here the Eighteenth day of June And Dow: One thousand Seven hundred and twenty three and that the said William Whittington Southey Whittington, Esther Sherwin, and Hannah Whittington Esqrs of William Whittington Esqrs lately dead who was Executor of last will and testament of Thomas White goods decd. Recover against the said Philip Taylor as well the Sum of Two Barrels of good sound merchantable Corn with Eickles and every way well qualified and four pounds Cure Silver money of Maryland their Debt and also the Sum of Two hundred (200) and thirty five pounds of Tobacco by the Court here adjudged unto them for their Costs and damages sustained by Occasion of the detaining the same Debt to them to be adjudged and to do so in money

Thomas Dashie - Command was given to the Sheriff of Somerset County that he should take Robert Every Robert Every - State of all hollows Parish in the County of Somerset Clerk of the Court if he should be found in his Bailwick and him should safe keep so that he might have his Body before his Lordship - Justices of the County Court of Somerset to be held at Diving Creek on the third Tuesday of June then next to answer unto Thomas Dashie of plea of trespass upon the Case and that those of the should not fail And whereupon the said Thomas of George Dashie his attorney complains that whereas the said Robert in the year of our Lord God One thousand Seven hundred and twenty three at Parish and County of within the Jurisdiction of this Court was Detained unto the said Thomas the Sum of Six hundred and fifteen pounds of Tobacco as ff: amount hereunto answer may in Court appear and the said

(Robt)