

March Court --- 1725 --- 111 ---
L^d. Benjamin Wailes

Memorandum the L^d by Levin Gale his attorney sued out his writs of
Subpoena against the depts the bear whereof follows in these words
Somerset's Charles Absolute Lord & Proprietary of the provinces of
Maryland & Avalon Lord Baron of Baltimore to the Sheriff of
Somerset County greeting whereas a certain Benj: Wailes of Somerset County Quard. Shod date
ely in our County Court of Somerset here (to wit) on the Seventeenth day of March and Dow one
thousand seven hundred & twenty five before the worshipfull Jos: Gray & his associates the our
Justices of our said Court at Dividing Creek & by consideration of a Bill of Complaint obtained his position
of a certain Judgment against a certain Henry Williams of Stegney parish in the County of Plenter &
Alicie his wife admt of a certain Tho: Taylor Late of Somerset County deat a week of the Sum of eight
hundred & eighty five pounds of tob: a certain Debt together with the Sum of two hundred & fifteen
pounds of the parts of Suite as also the Sum of two hundred & eighty one pounds of tob: by L^d Court here
adjudged unto the said Benj: Wailes for his Costs & Dam: Sustained by Creation of Delay of Recourse
on of the Judgment of, all ^{which} Sums are to be levied on the Goods & Chattels which were of the
of Tho: Taylor at the time of his death & which to the lands of the sd Henry Williams and
Alicie his wife admt. as sd should after come to be administered if so much thereof in their hands they
should have whereof they are bound or by the Land & goods hereof in our said Court remaining
before the Justices thereof manifestly appeareth & altho the Judgment of say yett remaineth
unsatisfied as by the Insurrection of the said Benj: Wailes we have learned, & because we are
willing that those things which in our said County Court are rightfully done should be to adve
Execution we Command you that by good & Lawfull men of your Bailiwick you make known
unto the said Henry Williams & Alicie his wife that they be & appear before our said Justices
at our Court by Court of Somerset to be held at Dividing Creek the third Tuesday of March
next to shew Cause if any thing for themselves they have or know to say why the sd Benjamin
Wailes his Execution of the Judgment of against them the said Henry Williams & Alicie his wife
admt. as sd according to the form of the recovery of he ought not to have) if to them it shall seem
meet & further to do & receive what our said Court shall consider of & have you then shew
the names of those by whom you make the same known & this Witness I Seal my hand
Chief Justice of our said Court the 19th day of November in the 10th year of our Dominion
and Dow 1725

Henry Williams Esq
and Tho: Taylor

Thomas Hayward

At which said third Tuesday of March to wit the fifteenth day of the month and Dow one thousand
seven hundred and twenty five being the day of the return of the said writ Cometh the said Benjamin Wailes
by his attorney of and the Sheriff of Somerset County to whom the foregoing writ was directed like
wise Cometh and make the return thereof to the Court here Entered viz: That he is from Allen shod
Whereupon the said Benjamin Wailes by his attorney of prays that the sd Henry Willi
ams and Alicie his wife ~~be~~ as sd to his suit of Subpoena of may answer but the said
(Henry)