

June Court - - - 1727 - - - 274

Endorsed in these words following vizt - made known by Francis Allen Sher:
And the affs for: McClester by his attly affs prays of the affs Brice Collins
to his writt affs May answer but y^e affs Brice Collins altho' before sworn
being so lewly called come, Not but Makes default -

Therefore it is considered by y^e Court here the twentieth day of June
anno Domini thousand seven hundred & twenty seven y^e affs for: McClester
have his Execution against y^e affs Brice Collins of two thousand five hundred
& seventy two p^{ts} of Tob^o: his Damages affs as three hundred fifty - -
of Tob^o: to y^e same for: by y^e Court here adjudged according to y^e forme of y^e Statute
thereof lately made & provided for his Costs & Dam^{ts}: Sustained by occasion of
Delay of Execution of y^e Damages affs -

Benj^o Wailes
of
J^o Blixard Esq^r
of Wm. Begger -

Memorand^m the affs by Lewis Gales attorney Sued out his S^o: h^o: writt of -
Summons against the Deft^r the ten^r whereof followeth in these words vizt -
Somerset^r Charles absolute Lord and proprietor of the provinces of Maryland
and Avalon Lord Baron of Baltimore To the Sher^o: of Southwell County

Greeting whereof Wm. Begger late of Southwell County, Claunter
lowitt on y^e eighteenth day of June anno Domini thousand seven hundred
& twenty five before y^e Hon^o: J^o: Blixard Esq^r & J^o: McClester Gent^l two of our Justices
of our County Court of Southwell Confessed Judgmt^o: unto Benj^o: Wailes (for as well
one thousand three hundred & sixty one p^{ts} of Tob^o: a certain Debt as five hun-
dred & fifty six p^{ts} of Tob^o: which to y^e same Benj^o: Wailes in our Co^o: Court affs
were adjudged for his Dam^{ts}: which he hath by occasion of y^e Detain^g
of y^e same Debt) according to act of assembly in such case made & provided
& y^e same Judgmt^o: so as affs Confessed in our County Court of Southwell in y^e month
of June y^e year affs was Jurrolled & there before Sam^l: Hopkins Gent^l & his
Associates then our Justices of our same Court remaineth Jurrolled (where of
he is Couvert) as by y^e records thereof in our same Court before our Justices
at Dividing Creek remaineth Manifestly appeareth, & afterwards
y^e affs Wm. Begger in Southwell Co^o: affs made his testam^o: & last will in writ-
ing & Constituted J^o: Blixard of y^e Co^o: Claunter Esq^r of his testam^o: affs &
afterwards there died after whose Death y^e affs J^o: Blixard y^e Execution of
y^e testam^o: affs upon himselfe took y^e same testam^o: in due forme of Law
proved never the less Execution of y^e Judgmt^o: affs as yett remaineth to be made
as by y^e Insinuation of y^e affs Benj^o: Wailes we have received & we being
Willing y^e those things which before our Justices affs are right fully done
& in our Court affs remaining upon record ought to be duly Executed we Com-
mand you y^e by honest & Lawfull men of your Bailly with you make
known unto y^e affs J^o: Blixard y^e he be, before y^e Justices of our Co^o: Court
of Southwell to be held at Dividing Creek affs y^e third Tuesday of June next to show
by for himselfe he hath or to say knoweth wherefore y^e affs Benj^o: Wailes
his Execution of y^e goods & Chattels which were of y^e affs Wm. Begger late of y^e same
County Court of Southwell