

Novend. Court 1725 75

Court and by Consideration of Our Said Court Obtained his Execution of a certain Judgment against a certain Charles Young of Somersett County Planter as well of y^e sum of four pounds ten shillings Current money & four Bushells of Indian Corn a certain Debt together with y^e sum of two hundred & fifty five pounds of Tobacco Costs of Suit as also the sum of One hundred and Ninety six pounds of Tobacco by the Court here adjudged unto y^e Said John Scott for his Costs and Damages sustained by Occasion of Delay of Execution of y^e Judgment after whereof he was Convict as by Record & profess thereof in Our Said Court before Our Justices at Dividing Creek remanded Manifestly appears Nevertheless Execution of y^e Judgment as yet remains to be done of same Debt as to affad y^e debts remitted as by y^e Indemnification of y^e Said John Scott we have received & because we will that those things which in Our Said Court are lightly done should be brought to due Execution — we will that those things which in Our Said Court are lightly done should be brought to due Execution —

We Command you that by good & Lawfull Men of your Parish you make Known unto y^e Said Charles Young that he be & appear before y^e Justices of Our County Court to be held at Dividing Creek of third Tuesday of November next to shew (as we if any thing for him selfe shall say) why y^e said John Scott should not have his Execution against him for y^e Judgment as according to form of y^e Recovery as he ought not to have y^e if so he shall be held to shew the names of those by whom you make Known unto him it shall seeme meet & have you then & there there written witness Samuel Hopkins Gent. These Justices of Our Said Court y^e 19 day of August in y^e tenth year of Our Dominion & anno Domini 1725 —

At which Said third Tuesday of November to wit y^e Sixteenth day of y^e same month anno Domini one thousand Seven hundred & Twenty five being y^e day of return of y^e Said Writ Commissy^r Said John Scott by his attorney asd y^e Sheriff of Somersett County to shew y^e foregoing Writ was directed Likewise to make return thereto of Court here endorsed in these words vizt & made Known to Francis Allen Sheriff — Whereupon y^e said John Scott by his attorney prayeth that y^e said Charles Young to his Writ of Scire facias asd may answerably y^e Said Charles Young altho' Solemly called & called not nor sheweth cause why & but maketh default wherby y^e said Plaintiff remaineth against y^e asd Defendant wholly undischded — Thereof it is considered by the Justices here y^e Sixteenth day of November anno Domini One thousand Seven hundred twenty five asd that y^e said John Scott have Execution against y^e said Charles Young of y^e Judgment asd as well for y^e sum of four pounds ten shillings Current money & four Bushells of Indian Corn his Debt asd together with y^e sum of two hundred and fifty five pounds of Tobacco Costs of Suit as also y^e sum of One thousand hundred & Ninety six pounds of Tobacco additional Costs sustained by Occasion of Delay of Execution of y^e Judgment asd as also y^e sum of two hundred and fifty five pounds of Tobacco by the Court here adjudged unto him for his Costs & damages sustained by Occasion of Delay of Execution of y^e Said Judgment —

Sig Joseph Maclester

Colbourne Taylor

Somersett f^r Colbourne Taylor late of Somersett County Planter ad dictum

Colbourne Taylor of Somersett County Planter was summoned to answer

unto Joseph Maclester of y^e glea that he render unto him the sum of two

thousand three hundred Seventy Eight pounds of tobacco which he did owe and from him by unjustly detains —

Whereupon the same Joseph Maclester by Revd Gales his attorney saith that whereas the asd Colbourne Taylor the twenty fourth day of June seventeen hundred & twenty three at the County and within the Jurisdiction of this Court by his certain Writing Obligation granted himself and family bound unto the same Joseph in the sum of two thousand three hundred Seventy Eight pounds of tobacco to be paid the same Joseph when afterwards the said

(Colbourne)