

Tobacco for his Damages which he sustained as well by occasion of the Non performance of a certain  
Promise & assumption to the same Andrew by the afo James lately made as for his Costs and  
Charges by him about his Suit in that part depended whereof he is Convict as by the Records  
and Proceedings thereof in our same Court before our Justices at Dwiding Creek afo Manifest  
: itly appeareth Never the less the afo James his Body in Execution of such Judgment to the afo  
Shad. of Bowdett <sup>that he not rendered nor the same James the Damages afo to the afo</sup>  
Andrew hath not satisfied as by the Assumption of the same Andrew we have received  
& Because we are willing that those things which in our Court afo before our Justices afo  
are rightfully acted & acknowledged ought to be duly executed we Command you that by  
good & Law full men of your Bailiwick you make known unto the afo Benj. that he be  
before our Justices of our City Court of Bowdett, to be held at Dwiding Creek the thirteenth  
: day of March next to shew Cause if any thing for himselfe he hath or to say knoweth  
Wherefore w afo Andrew his Execution against him of the Damages afo to have ought not  
according to the form of the Recognizance afo if to unto him it shall seem Expedient & Charge  
you then there the Names of them by whom you make known this Will with use Sam.  
Hopkins Gent &c

Att which said third Tuesday of March to witt the nineteenth day of the same month ann. Dowd One  
thousand Seven hundred and twenty seven being the day of the Return of the said writ Cometh the afo And.  
Scott by his attorney afo and the said Shad. Returned that by virtue of the afo writ to him there of direc:  
: ted he had made known to the afo Benj. Wailes that he be, before the Justice of his Lordships County Court  
of Somersett to be held at Dwiding Creek the same day & Year above said, by Jw Doc & Lih Roe good & Law  
: full men of his Bailiwick &c.

But the afo Benj. Wailes, altho. so before warned, at the same day above said being solemn  
: ly called Cometh not but makes default &c.

Therefore it is considered by the Court here the same day and Year last menti:  
: oned that the afo Andrew Scott have his Execution against against the afo Benj. Wailes of three pounds  
eight Shillings and Nine pence Current money and three hundred and Ninety <sup>eight</sup> pence of Tobacco his  
Damages afo <sup>and that the afo And. Scott according to the form of the statute in such case lately</sup>  
made and provided Recover against the afo Benj. Wailes two hundred and fifty <sup>one</sup>  
pounds of Tobacco for his Costs Charges and Damages sustained by Occasion of Delay, <sup>of Delay of you</sup>  
of the Damages afo by his afoent adjudged &c

Memorandum: The Bepth by Lewis Hale his attorney sued out his Lordships writ of Habeas  
: Corpus against the Deft the tenor whereof followeth in these words, vizt -  
Samuel Wheeler - - - Somersett to Charles absolute Lord and Proprietary of the provinces of Maryland  
: and Avalon Lord Baron of Baltimore &c. To the Sherr of Somersett County Greeting -  
Whereas Joseph Mufster lately in our County Court of Somersett here to witt the fifteenth  
: the day of March Anno dno one thousand seven hundred and twenty five before Said Hopkins  
Gent and his associates then Justices of our County Court of Somersett at Dwiding Creek and by  
: Consideration of the same Court Recovered against Said Wheeler of Somersett County plan:  
: ter Seven hundred and Seventy Nine pounds of Tobacco which to the same Joseph