

Considered by our same Justices that the Same James Should Recover against the Same Philip the Sum of Six hundred and Eighty two pounds of tobacco for his Costs and Charges by him about his Defence by our same Court in that part adjudged as by the Record and Process there of in our same Court before our Justices at Dividing Creek aforesaid Likewise Remaining manifestly appeareth notwithstanding the Said Philip hath not paid the Condemnation of the Court there upon and all Costs accrued thereon to the Said James neither hath the Said John Donelson done the Same for him as by the Insinuation of the Said James we have known and because we are willing that those things which in our same Court are Rightfully Acted and done should be Truly Executed we Command you that by honest and Lawfull men of your Bailiwick you make known unto the Said John Donelson that he be and appear before our Justices of our County Court of Somerset to be held at Dividing Creek the third Tuesday of June Next to shew Cause if any thing for himself he hath, or to say knoweth Wherefore the aforesaid James shoulde Execution against him of the Costs aforesaid to have Ought not according to the forme of the Recovery aforesaid, if to him it shall seem Expedient and have you then the Names of those by Whome to him you make the Same known and this. Witt Witness Samuel Hopkins Genl Chief Justices of our said Court the twenty fifth day of March In the Seventeenth Year of our Dominion of Great Brittain one thousand Seven hundred and thirty two.

At the which Said third Tuesday of June to witt the twentieth day of the Same month and doore. One thousand Seven hundred and thirty two being the day of the Return of the said Writt before his Lordships Justices at Dividing Creek Cometh the aforesaid James Shirley by his attorney afo and the Sheriff of Somerset County to witt, Joshua ^{Genl} ~~Genl~~ ^{Genl} ~~Genl~~ at the same day Returned that he by virtue of the writ aforesaid to him directed, had made known to the aforesaid John Donelson by John Dennis Junr. and Littleton Townesend honest and Lawfull men of his Bailiwick that he before his Lordships Justices at the day and place aforesaid to shew &c as within to him it was Comanded and the same doeth so before warned by Levi Gale his attorney Comes and defends the force and Injury when &c and who upon the Said James Shirley by his attorney afo prays that the afo John Donelson to his writ of Surrogacia afo. may answer &c but the Said John Donelson at the same day being solemnly Called Cometh not on Says nothing in barre or hinderance of the Execution of the afo writ by which a James shoulde Remaine against the afo doeth those of undefended -- Therefore it is Considered that the aforesaid James Shirley have his Execution against the aforesaid John Donelson.