of the Same Month Anno Dom 1724 and the Day of the return of the Precept aforesd Come again the Said Libellants by their Procurator aforesd and the Sheriff of Somerset County aforesd to whom the Same Attachment was directed likewise comes & makes return thereof to the Court here endorsd

Attached & Jos: Macclester Sheriff

But the Said William Fox doth not appear whereupon it is ordered that Attachment with Proclamation Issue agt him, & also that Attachment Issue directed to the Coroner of Somerset County against the Sheriff for his Contempt in not bringing the Body of the Said William Fox according to his return of the Precept aforesd, which Process was accordingly Issued returnable to next Court

At which Said next Court to wit the Second Tuesday of May being the 11th Day of the Same Month Anno Dom 1725 Come again the Said Libellts by their Procurator aforesd and the Said William Fox by Joshua George Gent his Procurator appears & having filed his Answer to the Libell aforesd it was ordered that the Same be not received before the Contempt be purged also the Said William having Exhibited a Copy of the aforementioned Attachment with an Affidavit thereon the same was ordered to be filed which Said Affidavit is as follows viz. Wm Fox makes Oath on the Holy Evangelists of Almighty God that the within Precept is the first that ever he was served with in a Cause depending in the Com. Pls Court Betwixt Thomas Billings & his Wife & this Defend. and that he this Depon. set out from Somerset County 9 of March for Annapolis in order to attend the Com. Pls Court but could not get to Annapolis till the Court was over

Sworn to before me this
20th Day of March 1724 — Sam Young Jun

afterwards in this Court the Said William Fox having paid his Contempt

(his answer

his answer was ordered to be received which was thereupon Received and follows in these words (viz.)

A. The Answer of Wm Fox to the Libell or Complaint of Thomas Billins and Katharine his Wife

This Libellee now and at all times hereafter saveing to himself all & all manner of benefit of Exception to the manifold uncertainties and insufficiencies in the Said Libell contained for answer thereunto or unto so much thereof as he is advised is any way materiall for him to Answer he answereth & Saith that he believes it to be true that the Will mentioned to be made in the Libell were made but not as set forth by the Libell for that this Libellee finds by the Will of Saml Collins the Elder amongst other things therein contained that he gave the Negro Man Jonas to his Wife Elizabeth whom this Libellee married during her Natturall Life and afterwards to his Son Samuel which Sd Saml died Some time before Elizabeth and further that the Sd Saml the Elder gave the third part of his personal Estate to his Wife Elizabeth who this Libellee married and the other two thirds betwixt his Sons & Daughters as by the Sd Will remaining in this Office more fully appears this Libellee further Saith that he is advised that Elizabeth the Wife of Saml the Elder & afterwards the Wife of this Compt was Justly & by Law intitled to her Thirds of the Sd Saml Estate after the payment of his Debts This Libellee further Saith that Saml Collins the Younger in his Lifetime was possd of 16:18:9 rts of the Estate of his Father as by his receipt appears wch this Libellee verily believes was more than came to his Share by Law that John Collins was possd of a Negro Woman called Wadey and a Boy called Will & other things to the Value of £37 and in Cash 56:10:0 And that Mary was possd to the Value of £35:6:7 wch as this Libellee believes was more than came to their Share And that this Libellee has possd £300 Tob. and Dts to the Value of £38:19:4 owing from the Estate wch he never has been allowed an Thomas Billins the Libl told this Libellee that there was four pounds due to him from his Father in Law's Estate

(Lewisly