the said Judgment and before the Impetration of the said Writ of Scirefacias of the said William Mollison to wit on the day of in the year of our Lord One thousand seven hundred and the said John Heath departed this life at the County aforesaid and that after the rendition of the Judgment aforesaid and before the death of the said John Heath no writ of Capias ad satisfaciendum upon the aforesaid Judgment by the said Mollison against the said Heath was duly returned and filed in the said Court now here of record which ought to be before any writ of Scirefacias against him the said Daniel as Executor of the said William Lua as Bail aforesaid ought to have issued, and this he is ready to verify: Wherefore he prays Judgment if the said Mollison his Execution against him the said Daniel to have for the said Debt, Damages, Costs and Charges ought and so forth.

And the said Daniel with the leave of the Court according to the form of the Statute in such Case made and provided further comes by his said Attorney and saith that the said William Mollison his Execution for the said Debt, Damages, Costs and Charges against the said Daniel to have ought not because he saith that after the rendition of the Judgment aforesaid and before the issuing of the said Writ of Scirefacias to wit on the day of in the year of our Lord One thousand seven hundred and the said Mollison for obtaining his Debt, Damages, Costs and Charges aforesaid prosecuted out of the said Court here of and upon the Judgment aforesaid a certain Writ of Fieri facias to the Sheriff of the County of directed against the said Heath by which said Writ the said Sheriff was then commanded that of the Goods and Chattels of the said Heath in his Bailywick he should cause to be made the Debt, Damages, Costs and Charges aforesaid and should have here that Money on the day of then next ensuing to be paid to the said Mollison for the Debt, Damages, Costs and Charges aforesaid which said Writ afterwards and before the return thereof to wit on the day of in the year aforesaid was delivered at the County aforesaid unto a certain the same then and until and after the return of the said Writ being Sheriff of the same County by Virtue of which same Writ the same Sheriff afterwards and before the Return,

Return to wit on the day of in the same year at the same County the Debt, Damages, Costs and Charges aforesaid on the Goods and Chattels of the said Heath in his Bailywick caused to be made; and this he is ready to verify: wherefore he prays Judgment if the said Mollison ought to have his Execution against him for the said Debt, Damages, Costs and Charges and so forth.

And the said Daniel further comes with the leave of the Court according to the form of the Statute in such Case made and provided and saith that the said Mollison his Execution against the said Daniel for the Debt, Damages, Costs and Charges aforesaid to have ought not because he saith that after the rendition of the said Judgment and before the Impetration of the writ of Scirefacias aforesaid of the said Mollison to wit on the day of in the year of our Lord One thousand seven hundred and the said Mollison obtained and prosecuted out of the said Court here a certain writ of Capias ad Satisfaciendum against the said Heath to the Sheriff of County directed by which said writ the said Sheriff of was commanded that he should take the said Heath if he should be found in his Bailywick and safely keep him so that he might have his body before the Judges of the said Court on the day of then next ensuing to satisfy to the same Mollison the Debt, Damages, Costs and Charges aforesaid whereof he was convicted and that he should then have here the said Writ which said Writ of Capias ad Satisfaciendum the said Mollison afterwards to wit on the day of in the Year of our Lord One thousand seven hundred and at the County aforesaid delivered to Esquire being then Sheriff of the same County to be in due form of Law executed by virtue of which said Writ of Capias ad Satisfaciendum the said being then as aforesaid Sheriff of the said County afterwards and before the return of the said Writ to wit on the same day and year last mentioned took and arrested the said Heath at the County aforesaid and him the said Heath in his Custody in Execution for the Debt, Damages, Costs, and Charges aforesaid then and there had and detained until the said Heath afterwards to wit on the same day and year at the County aforesaid paid and satisfied the said Mollison the said Debt, Damages, Costs and Charges: Wherefore he prays Judgment if the said Mollison ought to have his Execution against the said Daniel for the Debt, Damages Costs and Charges aforesaid,