Mr. Charles Greenberry
vs
David Dennis

Md the sheriff is about to make returne of all his proceedings as follows in these words viz

Anne by the grace of God of Great Britain France & Ireland Queen defender of the faith &c To the sheriff of Cecill County greeting We Command you that by vertue hereof you attach any the goods Chattells rights or Credits of David Dennis of Baltimore County Merchant they shall be found in your bailywick to the vallue of two hundred twenty three pounds nine teen shillings & ten thousand pounds of Tob: and when you have soe attached or any part thereof the same in your Custody safely to keep that you have them before us at our Court to be held at Annapolis on the third tuesday of July next then & there to be condemned according to act of Assembly for and for the use of the honble Charles Greenberry Esqr unless he the said David Dennis by himself or his attorney shall appear and answer unto the said Charles Greenberry in an Action of the case upon promises & satisfie according to Law & that by good and Lawfull meanes you cause notice hereof to be given unto the person or persons in whose hands you shall find the same attached that he & they be & appear before the Justices of our said Court to be held as aforesaid to shew Cause (if any he shall or they have) why the said goods Chattells rights or Credits so attached in his her or their hands ought not to be condemned according to Law & to him her or them it shall seem meet and how you shall regard this writt & what you shall have done therein & hereof make known unto the Justices of our said Court the 15th day of Septr in the year of our Lord 1712 & of our Reigne the first Anno Domi 1712

Test Jno Beale Clk

On the back of the foregoing writt was thus written viz

Md the within deft hath had Condemnation agst several effects found for the same of one hundred & twenty pounds seventeen shill & five pence & as of the goods Chattells rights & Credits of the within mentioned Dennis towards Satisfaction of the within mentioned Sume

Test Jno Beale Clk

At which said third mo day of July towit the 4th day of the same month Anno Dom 1712 being the day of the returne of the writt came the said Charles Greenberry by Wornell Hall his attorney as also the sheriff of Cecill County & he whom he hath as per writt directed Came and made return thereof to the Court here to endorse on these words viz

These are to Certifie to the Justices within specified that of the goods & Chattells of the within named David Dennis in my bailywick I have attached in the hands of Wm Frisby of Cecill County Gent to the vallue of one hundred & two pounds & fifteen shill & sixpence Sterling and by Charles O'Bryan & Danl Moore good & Lawfull men of my bailywick I have made Summons that they the said Frisby shall be & appear before the Justices within specified at the day & place within Contained to shew Cause if any he shall why the same should not be Condemned to the use of within Charles Greenberry as this writt requireth & requireth

Jno Ward Sheriff

Whereupon the said Charles Greenberry by his attorney aforesaid prays that upon giving Security according to act of Assembly that the said goods Chattells & effects attached in the hands of the said Wm Frisby as of the goods & Chattells of the said David Dennis may be Condemned in the hands of the said Wm Frisby towards Satisfaction of the said Charles Greenberry Damages and Costs aforesaid Whereupon the said Wm Frisby all & Solemnly Called to shew Cause & Come not but makes default nor does any other person appear or shew Cause to the Contrary & therefore Wornell Hall & Thos Bordley Attorney of Kent County Gent present here in Court undertake for the said Charles Greenberry according to act of Assembly that in Case the said David Dennis do at any time within a year & a day appear & make Action against the said Charles Greenberry Claim & Plea to be satisfied or otherwise to have been undue before the Law against his attachment that then the said Charles Greenberry shall make Restitution unto the said David Dennis of the Goods or such part thereof as shall so be made appear to be undue or that they the said Wornell Hall & Thomas

Bordley pound to do it for him Therefore it is Considered by the Justices here the 15th day of July Anno Dom 1712 as aforesaid that the Sum of one hundred & twenty two pounds seventeen shill & five pence & as of the goods & Chattells of the said David Dennis towards satisfaction of the debt & damages & Costs aforesaid & that he have thereof his Execution according to act of Assembly &c

Mr. Thomas Ringgold & Edward Scott Exrs of Elias King
vs
John Hawkins Junr

Mary land ss

John Hawkins Junr of Queen Annes County Gent was attached to answer unto Thomas Ringgold and Edward Scott of Kent County Gent Executors of the last will & testament of Elias King late of Kent Gent deced of a plea of trespasse on the Case &c

And thereupon the said Edward Scott by Thomas Bordley his attorney (the said Thomas Ringgold since the sueing out of the original writt in this cause being deceased whom the said Scott hath since Complained) that whereas the said John Hawkins the tenth day of December Anno Dom one thousand seven hundred & five at Kent County was indebted unto the said Elias King in his Lifetime in the sume of one thousand eighteen hundred and twenty eight pounds of tob for diverse sums or Quantities of tobacco by him the said John Hawkins for the use of him the said Elias before that time received and being so indebted the said John Hawkins afterwards to wit the same day year & place aforesaid there & then Assumed upon himself & to the said Elias in his Lifetime then & there faithfully promised that he the said John Hawkins the said eighteen thousand two hundred & twenty eight pounds of tob to him the said Elias King when he should be thereunto afterwards required would well & truly Content & pay Nevertheless the said John Hawkins his promise & assumption aforesaid not regarding but unduely & fraudulently intending him the said Elias in his Lifetime and the said Scott & Tho Ringgold Exrs as since his decease in this behalf craftily & subtilly to deceive & defraud the said eighteen thousand two hundred & twenty eight pounds of tob or any part thereof to the said Elias in his Life & to the said Edward Scott and Thomas Ringgold Exrs as aforesaid since his decease or to either of them to pay hitherto hath refused & the same to the said Edward Scott the Survivor & Executor aforesaid to pay doth still refuse in Contempt of our Lord the King & to the damage of the said Exrs thirty thousand pounds of tob & thereof he brings his suit &c & he binds himself into Court the Lord Chancellor of this Province for the time being to prosecute &c which if he the said Scott shall sufficiently appear & prove that the said John Hawkins ought to render to him the said Exrs the said eighteen thousand two hundred & twenty eight pounds of tob & his damages aforesaid & thereof he puts himself upon the Country &c

And the said John Hawkins Junr by Wornell Hall his attorney comes & defends the force & injury when &c & prays leave to imparle hereunto until next Court & he hath it &c & thereupon the said Edward Scott by his attorney aforesaid as the said John Hawkins Junr by his attorney aforesaid thereupon the said parties have unanimously agreed to Refer to Arbitrament & award of Mr Thomas Smyth & Mr Wm Potts arbitrators Indifferently Chosen by the said parties according to the form of the Statute in that case made & provided And whereas the said parties have by their Consent & Rule & Order that Judgment of the Court shall be rendered upon such arbitrament or award as the said Arbitrators shall make in the premises returned under their hands & Seals to the Justices of the next provincial Court to be holden at the City of Annapolis with said Judgment to be final between the said parties of the Consent of the parties aforesaid according to the form of the Statute &c

It is therefore ordered by the Court here by Consent of the said parties that they the said Thos Smith & Wm Potts hear the allegations of the parties aforesaid at such Reasonable time & place as they

(they)