they shall be found in your bailywick to the Value of thirty pounds Sterling and five thousand pounds of tobacco and when you have the Same so Attached or any Part of the Same in Your Custody Safe keep so that you have them before the Justices of Our Court to be held at Annapolis the second tuesday of October next then and there to be Condemned according to act of Assembly in and for the use of a Certain Rich. Colegate Merch.t to satisfy to the said John Walley by himself or his Attorney shall app.r and Answer unto the said Richard Colegate in a plea of trespass on the Case &c according to Law and that by good and lawfull men of Your bailywick you make known unto the person or persons in whose hands you make the Same attachment that he shall be or they be and 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 same goods Chattells rights or Credits so attached in his or their hands ought not to be Condemned according to Law if to him her or them it shall seem meet and hereof you shall Execute this writ that you make known unto our said Justices at the day and place aforesaid and have you then there this writ Witness Wm Holland Esq.r Chief Justice of our said Court the 18.th day of July in the 11.th year of our Reigne Anno Dom.i 1712

Wm Holland

Att which said second tuesday of October to wit the 7.th day of the same month Anno Dom.i 1712 being the day of the return of the said writ Comes the said Richard Colegate by Edward Hall his attorney and also the said Mr Annarundel County to whom the aforegoing writ was directed likewise Comes and makes return thereof to the Court here endorsed in these words Viz.t July 24.th 1712 By Virtue of the within precept to me directed I certifie to the Justices within mentioned that I have attached of the goods and Chattells rights and Credits of within named John Walley the within mentioned Sums in the hands of Mr James Carroll for the use of the within named Rich. Colegate and have made known unto the said James Carroll that he be and appear before the Justices within mentioned at the day & place within Contained to shew Cause if any he has why the said Sums so as aforesaid attached ought not to be Condemned according to Law before Richard Warfield and Zach.a Maccubbin two good and lawfull men of my bailywick as within I am Commanded

Hy. Gassaway Sherr.

Whereupon the said James Carroll Gent as aforesaid by George Middleton his attorney comes and prays Leave to imparle hereunto until next Court and he Saith the Same day is given to the pltf. also

Att which said next Court to wit the 14.th day of April Anno Dom.i 1713 Comes again as well the said pltf. by his attorney as also the said deft. by his attorney aforesaid and the said deft. by his said attorney prays further leave to imparle thereunto until next Court he hath it and the same day is given to the pltf. also

Att which said next Court to wit the 12.th day of July Anno Dom.i 1713 Comes again as well the said pltf. by his attorney as also the said deft. by his attorney aforesaid and the said deft. by his said attorney prays further leave to imparle hereunto until next Court he hath it and the same day is given to the pltf. also

Att which said second Court to wit the 13.th day of October Anno Dom.i 1713 Comes again as well the said pltf. by his said attorney as also the said deft. by his attorney aforesaid and the said deft. by his said attorney prays further leave to imparle hereunto until next Court and he hath it and the same day is given to the pltf. also

Att which said second Court to wit the 13.th day of April Anno Dom.i 1714 Comes again as well the said pltf. by his attorney as also the said deft. by his attorney aforesaid and the said deft. by his said attorney prays further leave to imparle hereunto until next Court and he hath it and the same day is given to the pltf. also

(Att)

Att which said next Court to wit the 10.th day of July Anno Dom.i 1714 Comes again as well the said Richard Colegate by his attorney as also the said James Carroll Gent as aforesaid by his attorney aforesaid and the said deft. by his said attorney prays a hearing of the writ of Attachment and it is read unto him in these words Viz.t George the first by the grace of God of Great Britaine France and Ireland Queen defender of the faith &c To the Sheriff of Annarundell County greeting We Command you that you attach the goods Chattels rights or Credits of John Walley of Baltimore County Planter if they shall be found in your bailywick to the Value of thirty pounds Ster.g and five thousand pounds of tobacco and when you have so attached any of them the same in your Custody safe keep so that you have them before the Justices of our said Court to be held at Annapolis the first tuesday of October next then there to be Condemned according to Act of Assembly to and for the use of a Certain Rich. Colegate Merch.t unless the said John Walley by himself or his attorney shall appear and Answer unto the said Rich. Colegate in a plea of trespass on the Case &c according to law and that by good & lawfull men of your bailywick you make known unto the person or persons in whose hands you make the same attachment that he shall be or they be and 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 same goods Chattells rights or Credits so attached in his or their hands ought not to be Condemned according to the law if to him her or them it shall seem meet and hereof you shall execute this writ that you make known unto our said Justices at the day & place aforesaid and have you then there this writ Witness Wm Holland Esq.r Chief Justice of our said Court the 18.th day of July in the 11.th year of our reigne Anno Dom.i 1712 Also the said James Carroll Gent a hearing of the indorsement and return of the said writ and it is read unto him in these words Viz.t July 24.th 1712 By Virtue of the within precept to me directed I certifie to the Justices within mentioned that I have attached of the Goods Chattells Rights & Credits of within named John Walley the within mentioned Sums in the hands of Mr James Carroll for the use of the within named Rich. Colegate and have made known unto the said James Carroll that he be and appear before the Justices within mentioned at the day and place within Contained to shew Cause if any he has why the said Sums so as aforesaid attached ought not to be Condemned according to Law & before Richard Warfield & Zach.a Maccubbin two good & lawfull men of my bailywick as within I am Commanded — Hy. Gassaway Sherr.

which being read and heard the said James Carroll protesting that on the twenty fourth day of July in the year of our Lord God one thousand seven hundred and twelve in the return aforementioned he had not any of the goods Chattells rights or Credits of the aforesaid John Walley to the value of the aforesaid thirty pounds Ster.g and five thousand pounds of tob.o or any one penny or part thereof to Comes and prays Judgm.t of the writ and return aforesaid because he saith that in the return aforesaid it is not specified particularly what the goods Chattells Rights or Credits attached were Viz.t whether Cattle hogs sheep horses Cloathing linnen to a Certain number or quantity or plate or money specie or Currant as it ought to have been specified, by omitting which the return aforesaid is imperfect nor is it expressed where the said goods &c were attached whether in his bailywick or elsewhere and this he is ready to verify wherefore he prays Judgm.t of the said writ and return aforesaid and that the same may be Quashed &c

And the aforesaid Rich. by his said attorney says that by any thing by the aforesaid James Carroll in Quashale of the writ and return aforesaid above in pleading alledged the aforesaid writ of the same Quashed ought not to be Quashed because he says that the plea aforesaid in manner and form as aforesaid pleaded and the matter therein Contained are not sufficient in law whereof he hath indeed nor by the Law of this land is bound to answer and this he is ready to verify wherefore he prays Judgm.t and that the writ and return aforesaid may be adjudged good &c and for Cause of Demur according to the form of the Statute &c Thereupon that the same plea & the matter and Circumstances in the said

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