Goods Chattels Rights or Credits so attached in his her or their hands Ought not to
be Condemned and Execution thereof had and made According to the form of the
Act of Assembly in that Case made and provided or to him her or them it shall
seem meet and how you shall Execute this Writ that you make known unto
our said Justices at the day and place aforesaid have you then and there this writ
Witness Tho: Holland Esq: Chief Justice of our said Court the 22d day of Sept: in
the first year of our Dom: Anno Dni 1716

Jno Bell Clk
(Worldley)

At which said Second tuesday of Aprill to wit the 9th day of the same Month
Anno Dom: 1717 being the day of the return of the said writ Comes the said John
Hart Esq: by Thomas Bordley his attorney as also the Sheriff of Talbot County to wit and
the aforegoing writ was duly executed & also Comes and makes return thereof to the Court
here endorsed in these words Viz: The Execution of this writ appears by a Schedule
hereto annexed

Abell Walkburn Sheriff

Which Schedule mentioned in the Return aforesaid follows in these words Viz:
Aprill the 3d 1717 By Virtue of the Precept hereto annexed I have on the day and
year aforesaid Attached of the Rights and Credits therein mentioned in the hands of
Mr Mathias Vandeleydon Senr: the sume of One pound Nineteen shillings and three
pence half penny Sterling in the hands of Capt James Frisby the sume of one pound
three shillings and three pence half penny Sterling in the hands of James Frisby and
Percy Frisby admrs: of Thos Frisby the sume of Ten shillings and three pence Sterling and
in the hands of Ephraim Augustine Herman the Sume of Three pounds Eleven
shillings Sterling And have made shown to the Severall persons above named that they
be and appear at the day and place in the Same writ mentioned to shew Cause &c
as the same writ recalleth before John Beaumont and Tom: Dare junr:
good and lawfull men of my Baliwick as by the Same writ I am Commanded

Solomon Roy Abell Burkeloo Shff

Whereupon the said John Hart Esq: by his attorney aforesaid Prays that upon
Giving Security according to Act of Assembly that the Severall sums so as aforesaid
attached in the hands of the Severall persons aforesaid may be Condemned in the hands
of the said Severall persons as of the Rights and Credits of the: Benedict
Leonard Lord Ballm: deceased towards Satisfying unto the: John Hart Esq:
as well his damages recovered in the plea aforesaid as his Costs and Charges occasioned by
Occasion of the premisses aforesaid &c. Whereupon the said Severall persons
at the: Severally Solemnly Called Come not but make default nor does any other
person appear for shew Cause to the Contrary &c Thereupon Tom: Harden and
Thomas Bordley of the City of Annapolis Gent: Present here in Court undertakes for the
said John Hart Esq: that in Case the said Robert Webber &c as aforesaid shall at any time
within a year and a day appear and make all or any part of the said John Hart Esq:
his Claime at him appear to be Satisfyed or Otherwise to have been undue
before the paying of this Attachment that then he the said John Hart Esq: shall

(make)

Aprill Court 1717

Make a Restitution unto him the said Robert Webber &c as aforesaid of all or such part thereof
as shall so be made appear to be undue &c or that they the said Tom: Harden and Thomas
Bordley Esqrs will do & suffer time Therefore it is Considered by the Justices here the
9th day of Aprill Anno Dom: 1717 aforesaid that the said sume of One pound Nineteen shillings
and three pence half penny Sterling so as aforesaid attached in the hands of the said Mathias
Vandeleydon Senr: As also the sume of One pound three shillings and three pence half penny
Sterling so as aforesaid attached in the hands of the said James Frisby As also the sume of Ten
shillings and three pence Sterling so as aforesaid attached in the hands of the said James Frisby and
Percy Frisby as admrs: of the said Thos Frisby As also the sume of Three pounds
Eleven shillings Sterling so as aforesaid attached in the hands of the said Ephraim Augustine
Herman be Condemned in the hands of the Severall persons aforesaid as of the Rights and
Credits of the said Benedict Leonard Lord Ballemore due towards satisfying unto
the said John Hart Esq: as well his damages recovered in the plea aforesaid as his Costs
and Charges occasioned by Occasion of the premisses aforesaid &c And that the said
John Hart Esq: have his Execution against the said Severall persons according to Act
of Assembly &c

NB. John Hart Esq: } vs } The Severall Garnishees of Benedict Leonard Lord Ballm: } Viz:

Mr Thos: Obtained his Lordship's writ of Attachment the Tenor whereof follows in these words

Charles Absolute Lord and Propriety of the Provinces of Maryland and Avalon Lord Baron of
Ballemore &c To the Sheriff of Talbot County Greeting We Command you that
you attach any the Goods Chattels Rights or Credits which were of the late &c
Benedict Leonard Lord Ballimore of the Kingdom of Ireland late deceased Chevalier
Lately Called Benedict Leonard Calvert of the County of Middlesex in the Kingdom
of Great Brittain Esq: in the hands of Robert Webber of the Parish of St Giles in
the Fields in the County of Middlesex Esq: Executor of the Testament of the said Benedict
Leonard Lord Ballimore deceased remaining to be administred if they shall be found in your
Baliwick to the value of four hundred and one pounds sixteen shillings and fifteen
thousand pounds of tobacco and when you have the same so attached or any part
thereof the same in your Custody safe keep so that you have the same before the Justices
of our prov: Court to be held at Annapolis the Second Tuesday of Aprille next then and
there to be Condemned according to Act of Assembly to and for the use of a certaine
John Hart Esq: unless he the said Robert Webber &c as aforesaid by himself or his Attorney
shall appear and Answer unto the said John Hart in a plea of Trespass upon the
Case according to Law and that by Good and Lawfull men of your baliwick
you make known unto the Person or persons in whose hands you make
same Attachment that he she or they be and appear before the Justices of our
said Court to be held as aforesaid to shew Cause if any he she or they have why the
same Goods Chattels Rights or Credits so attached in his her or their hands Ought

(not)