D.D. James Govane admr. of Thos. Homewood —
vs. James Greenfield Exr. of Thos. Greenfield —
who was Exr. of Jno. Walker Gent. of David Dennis

Prince Georges County ss

Be it Remembred that Lastofore to Wit the 25th Day of September in the Second Yeare of the Dominion of the Right Honble the Lord Baron of Baltimore Lord Proprietary of Maryland &c Annoq Dom 1722 James Govane Gent. Admr. with the will annexed of late & Singular the Goods & Chattels Rights & Credits which were of Thomas Homewood Late of Ann Arundell County Merchant Deceased Left Unadministered by Mary his Wife the Widow & Executrix of the Last will & Testament of the said Thomas; Sued out of this said Lordships Prov. Court his Lordships Writt of Attachment The Tenour whereof follows in the words & figures Viz.

Maryland ss Charles Absolute Lord and Propry. of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c To the Shrff. of Prince Georges County Greeting We Command you that you Attach Any the Goods Chattels Rights or Credits of David Dennis Late of the City of London in Ann Arundell County Merchant of Which Shall be found in your Bailywick to the Value of Two hundred & Ninety Pounds Twelve Shillings and Ten pence Sterl. in Tobo. 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 April next then & there to be Condemned according to Act of Assembly to and for the use of a Certain James Govane Gent. Admr. with the will annexed of late & Singular the Goods & Chattels Rights & Credits which were of Thomas Homewood Late of Ann Arundell County Merchant Deceased Left Unadministered by Mary his Wife the Widow & Exr. of the Last will and Testament of the said Thomas Homewood, Unless he the said David Dennis by himself or his Attorney Shall Appear & Answer unto the said James Govane Admr. as aforesd. in a plea of Trespass upon the Case 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 She or they be & Appear before the Justices of Our Said Court to be held as aforesd. to Shew Cause if any he She or they have why the Same Goods Chattels Rights or Credits so Attached in his or their Hands Shall not be Condemned and Execution thereof had & made According to the Forme of the Act of Assembly in Such Cases made & Provided & to him her or them it Shall Soever Appertain Hereof you Shall not fail and Make Return of this Writt Shewing how you Shall Execute this Writt Witness Saml Young Esq. Chief Justice of our said Court the 25th Day of Septr. in the 7th year of Our Dominion &c Annoq Dom 1722

(D. Dulany) Vachel Denton Clk

At which said Second Tuesday of April being the 9th Day of April Annoq Dom 1723 being the day of the Return of the said Writt Comes the said James Govane Admr as aforesd. by Daniel Dulany his Attorney and the Shrff. of Prince Georges County aforesd. to whom the Same Process was Directed Likewise Comes and Makes Return thereof to the Court here Endorsed in these words Viz.

P.G. Cty. ss I Do hereby Certifie to the Justices within named that by Virtue of the Within writt on the first Day of April in the year of our Lord One thousand Seventeen hundred twenty & two that I have Attached of the Goods and Chattels Rights & Credits of David Dennis Late of the City of London in Ann Arundell County Merchant the full Sum of two hundred & Ninety pounds twelve Shillings and Ten pence Sterl. & Ten thousand pounds of Tob. in the hands of James Greenfield One of the Executors of Coll. Thomas Greenfield Decd. Exr. of James Watts Exr. And I Do further Certifie

(that)

That I have Commanded the said James Greenfield before William Beans & Robert Sanders two good & Lawfull men of my Bailywick that he be & Appear at the City of Annapolis the Second Tuesday of April next before the Justices of the Provincial Court to be held there to Shew Cause if any he hath why Condemnation of the said Sums & Execution thereof Should not be had According to Acts of Assembly to the use of a Certain James Govane Gent. Admr. of the Goods & Chattles &c which were of Thomas Homewood Late of Ann Arundell County Merchant Deceased &c as by the within Writt I am Commanded & required So Answer

Philip Lee Sheriff

Whereupon the said James Greenfield Exr. as aforesd. by Thomas Bordley his Attorney comes & Prays Leave to Imparle hereunto Until next Court And he hath it And the Same Day is given to the said James Govane Admr. as aforesd. also

At which said Court held the Fourth Day of September Annoq Dom 1723 again arrive the said James Govane Admr. as aforesd. by his Attorney aforesd. & the said James Greenfield Exr. as aforesd. by his Attorney aforesd. And the said James Greenfield Exr. as aforesd. by his said Attorney Saith that the aforesd. James Govane Condemnation of the Premises so as aforesd. Attached Against him the said James Greenfield Ought not to have because he Saith that at the time of Laying the Attachment aforesd. in the hands of him the said James Greenfield he had not nor at any time Since hath had any of the Goods Chattels Rights or Credits of the said David Dennis in the hands of him the said Greenfield as by the writt & Return aforesd. is above Supposed & this he is ready to verify Wherefore he prays Judgment if the said James Govane Condemnation of the Premises so as aforesd. Attached against him to have ought &c

And the said James Govane Saith that he by Any thing above Alledged from having Condemnation of the Premises against the said James Greenfield Ought not to be precluded because he Saith that the said James Greenfield on the Day of Laying the Attachment in his hands Viz. the first Day of April Anno Dom One thousand Seven hundred twenty two had of the Goods Chattles & Credits of the said David Dennis in his hands to the Value of Money and Tobo. in the Attachment & return aforesd. to wit at Prince Georges County aforesd. & this he prays may be Inquired of by the Country

And the said James Greenfield likewise

Wherupon for Trying the Issue aforesd. Command is given to the Shrff. of Prince Georges County that he Cause to Come before the Justices of the Prov. Court at Annapolis the Third Tuesday of May next or before the Justices Appointed to take the Assizes in his County if they Shall before that time to wit on Friday the first day of May next Come to the County Court house in his County twelve good & Lawfull men of his Bailywick by whom &c to be neither &c kinsmen nor Lordsmen &c because are able &c

Afterwards the Process Continued between the parties aforesd. on the Pleas aforesd. by the Jury being put thereon in respect hereunto the Third Tuesday of May next Unless the Justices of his Lordship the Lord Propry. to take the Assizes in the said County aforesd. should before that time to wit on Friday the first Day of May Next to the County Court House in the said County Come

At which said Third Tuesday of May being the 19th Day of the Same Month Annoq Dom 1724 Comes again before the Justices of this Lordships Prov. Court here here the said James Govane Admr. as aforesd. by his Attorney aforesd. & the said James Greenfield in his Capacity aforesd. by his Attorney aforesd. & that the Shrff. hath not Sent his writt Whereupon as before Command is given to the Shrff. of Prince Georges County that he Cause to Come before the Justices of the Prov. Court at Annapolis the Third Tuesday of October next or before the Justices Appointed to take the Assizes in his County

(if)