of they Shall before that time to wit on Wednesday the 25th Day of September next to the County Court House in his County come to shew good & Lawfull Reason of his Bailiwick to Recognize in form afs.

Afterward s the Process Continued between the Parties afs on the Plea afs in form afs. untill the Third Tuesday of October next unless the Justices of his Lordship the Lord Proprietor to take the Assizes in the said County Assigned Shall on Wednesday the 25th day of September next to the County Court House in his County Come — And now here at this Day to wit the said third Tuesday of October being the 20th day of the Same Month Come again before his Lordships Justices of the Prov: Court here as well the said James Govane by his Attorney afs as the said James Greenfield by his Attorney afs & the Justices of Assizes before whom & record here their record before them hadin the Words Viz — Afterward s to wit the Day & Place last above Mentioned before Thomas Addison Esqr one of his Lordships Justices of the Provincial Court of this Province & James Stoddart Esqr one other of his Lordships Justices of the said Court assigned to take the Assizes in Prince George County afs according to the form of the Statute & Came the within named James Govane admr of the said Thomas Homewood by Dan: Dulany his Attorney & the within named James Greenfield & ux: as afs Gran: of the said David Dennis by Thos Bordley his Attorney & the Juror of that Jury whose of mention is above made being called Likewise Come to wit Nich: Gordon Walter Magrander Sr Wm Dawson, Jas Stoddart Sr, John Winn, John Child, Robt Pottinger, Samuel Pottinger, Simon Magrander, Luke Barnes, Joseph Newton, & Dr Boan who being Duly Elected tried & Sworn to Say the truth in the Premisses upon their Oath do Say that — Thos T. Greenfield & Jas Greenfield the Garnishees are the Exors of Colo Thos Greenfield line that the said Greenfield was the Exor of James Watts deceased — That the said Watts dyed twenty years Since and that the said Colo Thos Greenfield had Sufficient Effects in his hands at the time of the said Watts's Death to pay & Satisfye the Debts Due by the said Watts which were appointed to the said Colo Greenfield during his Life That the said Colo Thos Greenfield paid all the Debts Due from the said Watts that he had notice of in his Lifetime and that the said Colo Greenfield paid the residue of the said Watts's Estate to the Severale Residuary Legatees, Viz — Anne the Wife of John White Satisfy Caleb Ann Greenfield & Thos Bates to whom the Same were devised by the said Watts's Wife — That the aforesaid Payments of Debts and Legacys were made by the said Colo Greenfield on or about the year 1713 But whether any Notice was ever Given to the said Colo Greenfield of the Debt now Claimed by the Plaintiff Demand made thereof during the said Colo Greenfields Life doth not appear That the Debt claimed by the Pltff was due from the said Watts to David Dennis in the Attachment named that the pltff is Admr of Thos Homewood in the Attachment mentioned and the said Dennis was Indebted to the said Homewood in the Sume Contained in the Attachment That there was Sufficient in the hands of the said Colo Greenfield to Satisfye the Sum Attached in the Defendants hands besides the payments of the aforesaid Debts by the said Colo Greenfield & before payment of the Legacys aforesaid but doth not find that the said Colo Thos Greenfield ever took any bond from the said Residuary Legatees or other Legatees or Devisees to refund in Case of Satisfd Debts & if upon the Whole the Law be with the Plaintiff then find for the pltff if for the Defdt for the Defendants and pray the Advice of the Court thereupon —

(But)

But for that the Court here are not advised of their Rendering their Judgment of and upon the Verdict and Premisses afs Day is further given to the said Parties to hear their Judgment until next Court for that the said Court as yet are not &c —

At which said next Court to wit the 18th Day of May Anno Domi 1725 Comes again the s. Parties Pltff & Defdt by their Attorney afs But for that the Court here are not as yet advised of rendering their Judgment of & upon the Verdict & premisses afs Day is further given to the Parties to hear their Judgment untill next Court for that the said Court as yet are not &c —

At which said next Court to wit the 19th Day of October Anno Domi 1725 Comes again as well the said James Govane admr as afs by his Attorney afs as the said James Greenfield in his Capacity afs by his Attorney afs Whereupon all & Singular the Premisses being by the Court here soon heard & fully understood & mature Deliberation thereupon had it seems to the Court here that the Law arising on the Verdict afs is with the Pltff —

Thereupon the said James Govane by his Attorney afs Prays that upon giving Security according to Act of Assembly the Severale Sums so as afs Attached in the hands of the said James Greenfield in his Capacity afs may be Condemned in his hands as the Rights & Credits of the said David Dennis towards Satisfying unto the said James Govane admr as afs as well the Damages in the writ of Attachment afs as his Costs & Charges by him said out in Obtaining the Same —

Thereupon a Certain Daniel Dulany Esqr present here in Court undertakes for the said James Govane That in Case the said David Dennis Shall at any time within a year & a day appear & make all or any part of his the said James Govanes Claim against him the said David Dennis appear to be Satisfied or otherwise to have been undue before the Laying this Attachment that then the said James Govane Shall make restitution unto him the said David Dennis of all or Such part thereof as Shall so be made appear to be undue &c or that he the said Daniel Dulany will do the Same for him —

Therefore it is considered by the Justices here the Day & Year last mentioned that the said Sum of Two Hundred & ninety pounds twelve Shillings & ten pence Stlg & Ten Thousand pounds of Tob: so as afs Attached in the hands of the said James Greenfield &c of Thos Greenfield &c of James Watts Gardian as afs be Condemned in his the said James Greenfields hands as the Rights & Credits of the said David Dennis towards Satisfying unto the said James Govane admr as afs as well the Damages in the writ of Attm afs Specified as his Costs & Charges by him said out & Expended in obtaining the Same Attachment & that he have thereof Execution &c And also it is Considered by the Same Justices that the said James Govane admr as afs recover against the said James Greenfield in his Capacity afs the Sum of pounds of Tob: by the Court here Adjudged unto him for his Costs & Charges Sustained by Occasion of this the said James Greenfields appearing & Contesting the writ of Attachment afs &c —

Mem: The Pltff No Cross ale But the balance due to David Dennis & the Costs of Suit —

Thomas Bordley

DD Robert Gordon } Also whereas it appears to Wit in May Term Last Past Robert Gordon of the Cty of Annapolis Esqr alo dict: Robert Gordon of Ann Arundel County was Summoned to Answer unto Thomas Bordley Esqr One of the Attorneys Practising in his Lordships

(Provincial)