aforesaid attached in the hands of the said Jeremiah Thomas as of the goods & Chattles of the said John Talbotman may be Condemned in the hands of the said Hannah Davis &c &c as aforesaid & Jeremiah Thomas towards satisfying unto the said Richard Bennett as well his Damages in the Writ of Attachment aforesaid specifyed as his Costs & Charges arising by Occasion of the premisses aforesaid —

Whereupon the said Hannah Davis &c &c as aforesaid & Jeremiah Thomas altho solemnly called Come not but make default nor does any other person or persons appear or show Cause to the Contrary —

Thereupon a Certain Daniel Dulany Esqr present here in Court undertakes for the said Richard Bennett Esqr that in Case the said John Talbotman shall at any time within one Year & a Day appear & make all or any part of his the said Richard Bennett Claim against him the said John Talbotman appear to be satisfyed or otherwise to have been undue before the laying of this Attachment that then the said Richard Bennett shall make restitution unto him the said John Talbotman 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 it for him —

Therefore it is Considered by the Justices here the 17th Day of May Anno Dom 1737 aforesaid that the said Sum of twenty pounds, three Shillings & Eleven Sterling so as aforesaid attached in the hands of the said Hannah Davis &c &c as aforesaid and the said Sum of five pounds & five Shillings Sterling so aforesaid attached in the hands of the said Jeremiah Thomas be Condemned in the hands of the said Hannah Davis &c &c as aforesaid & Jeremiah Thomas as of the goods & Chattles of the said John Talbotman towards satisfying unto the said Richard Bennett as well his Damages in the Writ of Attachment aforesaid specifyed as his Costs & Charges arising by Occasion of the premisses aforesaid And that the said Richard Bennett have thereof his Execution against the said Hannah Davis &c &c as aforesaid & Jeremiah Thomas according to Act of Assembly &c —

Littleton Waters — } And the plaintiff sued out his Lordships Writ of Attachment the Tenor
v } whereof follows in these Words (Viz:)
Jonathan Starth } Maryland ss

Charles Absolute Lord & Propry of the Province of Maryland & Avalon Lord Baron of Baltimore &c To the Sheriff of Baltimore County Greeting We Command you that you attach any of the goods Chattles Rights and Credits of Jonathan Starth late of Anne Arundell County Merchant if they shall be found in your Bailywick to the Value of three hundred & Ninety Seven pounds nine Shillings & Six pence three farthings Sterling & fifteen thousand Pounds of Tobacco & 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 Provincial Court to be held at Annapolis the third Tuesday of May next then & there to be Condemned according to Act of Assembly to & for the Use of a Certain Littleton Waters unless he the said Jonathan Starth by himself or his Attorney shall appear & answer unto the said Littleton Waters in a plea of Trespass upon the Case & according to Law & 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 she or they be & appear before the Justices of our said Court to be held as aforesaid to show Cause if any he she or they have why the same goods Chattles Rights or Credits so attached in her or their hands ought not to be Condemned & Execution thereof had & made according to the Directions of the Act of Assembly in such Cases made & provided if to him he or them it shall seem meet & how you shall Execute this Writ)

Writ that you make known unto our said Justices at the Day & place aforesaid & have you then there this Writ Witness Levin Gale Esqr Chief Justice of our said Court the 27th Day of October in the 2d Year of our Dominion &c Annoq; Dom 1736

Dupl Issued Nov 15th 1736 — (D Dulany) Clk Cur

At which said third Tuesday of May to wit the 17th Day of the same Month Anno Dom 1737 being the Day of the return of the said Writ Comes the said Littleton Waters by Daniel Dulany his Attorney And the Sheriff of Baltimore County to whom the same Writ was directed likewise Comes & makes return thereof to this Court here thus Indorsed Viz:

I Certify to the Justices within mentioned that on the tenth Day of May instant by Virtue of the within Writ I have Attached as the goods & Chattells of the within named Jonathan Starth a Tract or parcell of Land Called Browns Adventure Containing by Estimation Eight hundred & Seventy Acres of Land & one other Tract or parcell of Land Called the Adventure Containing three hundred Acres both lying within my Bailywick which two Tracts of Land were mortgaged by Aaron Lawlings to the said Jonathan Starth which same two Tracts of Land were appraised by James Gaddiner John Stinchcomb Richard Taylor & John Wright four good & Lawfull Men of my Bailywick upon their Oath as appears by the Schedule hereunto annexed And I further Certify that there was no person in possession of the said Lands for the said Jonathan Starth in whose hands I could lay the within Attachment or to whom I could make the same known as by the within Writ I am Commanded So Answer (Thos Harwood Shff)

Which Schedule mentioned in the aforegoing return follows in these Words (Viz:)

Balt Cty May 10th 1737 We the Subscribers being Summoned & Duly qualifyed to Value & appraise such of the Effects goods & Chattles of Jonathan Starth as to us Shown for the Use of Littleton Waters as follows (Viz:)

	£	S	D
To a Tract or parcell of land Called Browns Adventure lying in Balt County and Containing Eight hundred Seventy Acres at —	304	10	0 Stg
To 1 Do lying in ye County above and Containing three hundred Acres of Land at —	80	00	0 Stg

Jaa Gardner — (Seal)
John Stinchcomb (Seal)
Richard Taylor (Seal)
John Wright (Seal)

Thereupon the said Littleton Waters by his Attorney aforesaid prays that upon giving Security according to Act of Assembly the said two tracts of Land so as aforesaid attached of the Value of three hundred & Eighty four pounds ten Shillings Stg as of the goods and Chattles of the said Jonathan Starth may be Condemned towards satisfying unto the said Littleton Waters as well his Damages in the Writ of Attachment aforesaid specifyed as his Costs & Charges arising by Occasion of the premisses aforesaid —

Whereupon the said Jonathan Starth altho solemnly called Come not but makes default nor does any other person or persons appear or show Cause to the Contrary —

Thereupon a Certain Daniel Dulany Esqr present here in Court undertakes for the said Littleton Waters that in Case the said Jonathan Starth shall at any time within one Year & a Day appear & make all or any part of the said Littleton Waters his Claim against him the said Jonathan Starth appear to be satisfyed or otherwise to have been undue before the laying of this Attachment that then the said Littleton Waters shall make restitution unto him the said Jonathan Starth 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 it for him —

Therefore it is Considered by the Justices here the 17th Day of May Anno Dom 1737 aforesaid that the said two tracts of Land so as aforesaid attached of the Value of

(three)