At which said third Tuesday of October to wit this 18th Day of the same Month — Anno Domi 1737 being the Day of the return of the aforegoing Writ Comes the said Alexander Burnes by William Cumming his Attorney And the Sheriff of Cecil County to whom the same Writ was directed likewise Comes & makes return thereof to the Court here thus Indorst (Vizt)

By Virtue of the within Precept to me directed I Certifie to the Justices within mentioned that on the Eighteenth Day of August Anno Dominij 1737 I attached of the Rights & Credits of the within named Doctor Richard Hill in the hands of Peregrine Frisby the quantity of thirty Bushells of Wheat for the use of the within named Alexander Burnes & have made known to the said Peregrine Frisby that he appear at the time & place within mentioned to show Cause &c before Wm Hutchingson & Peregrine Frisby Jun. two good & Lawfull Men of my Bailywick as within I am Commanded — To Answers

John Baldwin Shff.

Whereupon the said Alexander Burnes by his Attorney aff prays that upon giving Security according to Act of Assembly the said thirty Bushells of Wheat so as aff attached in the hands of the said Peregrine Frisby may be Condemned in his hands as of the Rights & Credits of the said Richard Hill towards satisfying unto the said Alexander Burnes as well his Damages in the Writ of Attachment aff specifyed as his Cost & Charges arising by Occasion of the premises aff.

Whereupon the said Peregrine Frisby altho solemnly Called Comes not but makes Default nor Does any other Person or Persons appear or show Cause to the Contrary.

Whereupon a Certain Charles Brown of Ann Arundell County Merchant present here in Court undertakes for the said Alexander Burnes that in Case the said Richard Hill shall at any time within a year and a Day appear & make all or any Part of the said Alexander Burnes his Claim against him appear to be satisfyed or otherwise to have been undue before the Laying of this Attachment that then the said Alexander Burnes shall make restitution unto him the said Richard Hill of all or such Part thereof as shall so be made appear to be undue &c or that he the said Charles Brown will Do it for him. —

Therefore it is Considered by the Justices here the 18th Day of October Anno Dom 1737 that the aff thirty Bushells of Wheat so as aff attached be Condemned in the hands of the said Peregrine Frisby as of the rights & Credits of the said Richd Hill towards satisfying unto the said Alexander Burnes as well his Damages in the Writ of Attachment aff specifyed as his Costs & Charges arising by Occasion of the premises aff. And that he have thereof his Execution against the said Peregrine Frisby according to Act of Assembly &c —

Mem. The Court Values the above Wheat to two Shillings Sterling per Bushell —

Dr. Richard Bennett Esqr
a
John Falconar — —

Mem. the Plfs sued out his Lordships Writ of Attachment the Tenor whereof follows in these Words (Vizt)
Maryland ss. Charles Absolute Lord & Propry of the Provinces

(of)

of Maryland & Avalon Lord Baron of Baltemore &c To the Sheriff of Calvert County Greeting We Command you that you attach any the Goods Chattells Rights or Credits of John Falconar late of London Merchant if they shall be found in your Bailywick to the Value of three hundred & Nine pounds two Shillings & Eight Pence Sterling & ten thousand pounds of Tobacco & whom 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 October next then & there to be Condemned according to Act of Assembly to & for the use of a Certain Richard Bennett Esq. Unless he the said John Falconar by himself or his Attorney shall appear & answer unto the said Richard Bennett Esq 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 to be held as aff to show Cause if any he she or they have why the same Goods Chattells Rights or Credits so attached in his her or their hands ought not to be Condemned and Execution thereof had & made according to the Directions of the Act of Assembly in such Cases made & provided if to him her or them it shall seem meet & how you shall Execute this Writ that you make known unto our said Justices at the Day & place aff & have you then & there this Writ Witness Levin Gale Esq Chief Justice of our said Court the 27th Day of May in the 23d Year of our Dom. &c Annoq Dom 1737

Duplicate Issued Sept. 5th 1737 (Dulany)

Wm Lee Clk

At which said third Tuesday of October to wit the 18th Day of the same Month Anno Dom 1737 being the Day of the return of the aforegoing Writ Comes the said Richard Bennett Esq. by Daniel Dulany his Attorney And the Sheriff of Calvert County to whom the same Writ was directed likewise Comes & makes return thereof to the Court here thus Indorst (Vizt) Calvert County ss.

To the Honble Justices within mentioned

I hereby Certifie that by Virtue of the within Writ I have attached as of the rights & Credits of the within named John Falconar dwell to & for the use of Richard Bennett Esq in the Hands of Gabriel Parker Gent the Sum of One pound Eight Shillings & Nine pence Sterling have also made known to the said Gabriel Parker that he be and appear before the Justices above said on the Day & at the place within Contained to show Cause if any he hath or knoweth to say why the Sum above. so as aff in his hands attached should not therein be Condemned to & for the use of the said Richard Bennett Esq if to him it shall meet this done on the 16th Day of September Anno Dom 1737 before Samuel Young Attorney & William Miller Jun. two good & Lawfull Men of my Bailywick as by the within Writ I am Commanded To Answer

Posth. Hollston Shff.

Whereupon the said Gabriel Parker by Samuel Young his Attorney appears & Says that he cannot Gainsay but that he has of the rights & Credits of the said John Falconar in his hands to Value of the Sum so as aff attached nor he can he say but that the said Richard Bennett Esq ought to have Condemnation thereof &c

Thereupon the said Richard Bennett by his Attorney aff prays that upon giving Security according to Act of Assembly the Sum so as aff Confessed by the said Gabriel —

(Parker)