Dom 1737 aforesaid that the aforesaid Sum of Ten Pounds Sterling so as aforesaid Confessed & Part of the Sum so as aforesaid Attached in the hands of the said Levin Gale be Condemned in his hands as of the Goods & Chattells of the said John Falconar towards Satisfying unto the said Richard Bennett as well his Damages in the Writ of Attachment aforesaid Specifyed as his Cost & Charges arising by Occasion of the Premises aforesaid And that he have thereof his Execution against the said Levin Gale according to Act of Assembly &c—

Mem.d the Plff.s Attorney acknowledges satisfaction of the above Sum—

Ex Richard Bennett Esq.r
v
John Falconar ---

Mem.d The Plff. sued out his Lordships Writ of Attachment the Tenor whereof follows in these Words (Viz.t)

Maryland ss. Charles Absolute Lord & Propry of the Province of Maryland & Avalon Lord Baron of Baltemore &c To the Sheriff of Baltemore 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 and for the use of a Certain Richard Bennett Esq.r unless he the said John Falconar by himself or his Attorney shall appear and answer unto the said Richard Bennett Esq.r 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 Chattells Rights or Credits so attached in his 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 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 aforesaid & have you then & there this Writ Witness Levin Gale Esq.r Chief Justice of our said Court the 27th Day of May in the 23d Year of our Dominion &c Annoq. Dom 1737—

Issued Sept.r 5th 1737 (D Dulany) Clerk

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.r by Daniel Dulany his Attorney And the Sheriff of Baltemore County to whom the same Writ was directed likewise Comes & makes return thereof to the Court here thus Indorsed (Viz.t)

Certify to the Justices within mentioned that on the 14th of October Anno Dom 1737 I attached in the hands of Wm Beasly Ingram twenty Six Pounds Sterling as the Effects of the within mentioned John Falconar for the use of the within mentioned Richard Bennett And I further Certify that I made known unto the above named Beasly Ingram that he be & appear at the time & place within mentioned to show Cause &c (why)

why the Sum so attached in his hands should not be Condemned for the use of the within mentioned Richard Bennett before John Hinchcomb & Francis Brown good & Lawfull men of my Bailywick as I am within Commanded To Answer

W Hatwood Sher.f —

Whereupon the said Richard Bennett by his Attorney aforesaid prays that upon giving Security according to Act of Assembly that the Sum so as aforesaid attached in the hands of the said Beasly Ingram may be Condemned in his hands as of the Effects of the said John Falconar 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 premises aforesaid —

Thereupon the said Beasly Ingram 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 Daniel Dulany of Ann Arundell County Esq.r herein Court undertakes for the said Richard Bennett that in Case the said John Falconar shall at any time within a Year & a Day appear & make all or any Part of the said Richard Bennett his Claim against him to be satisfyed or otherwise to have been made before the laying of this Attachment that then the said Richard Bennett shall make restitution unto him the said John Falconar of all or such Part thereof as shall so be made appear to be made &c Or that he the said Daniel Dulany will do it for him —

Therefore it is Considered by the Justices here the 18th Day of October Anno Dom 1737 aforesaid that the aforesaid Sum of twenty six Pounds Sterling so as aforesaid Attached in the Hands of the said Beasly Ingram be Condemned in his hands as of the Effects of the said John Falconar 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 Premises aforesaid And that he have thereof his Execution according to Act of Assembly &c—

Ex Levin Gale Esq.r
v
Ex Joseph Manlester

Maryland ss. Joseph Manlester late of Somerset County Gentleman otherwise called Joseph Manlester of Somerset County was Summoned to answer unto Coll. Levin Gale of a Plea that he render unto him the full and just Sum of Eighty four thousand Pounds of Merchantable Leaf Tobacco fit for Shipping which to him he owes and unjustly detains &c—

And whereupon the said Levin by Edmund Jennings his Attorney Saith that whereas the said Joseph on the thirteenth Day of October in the Year of our Lord Seven hundred & thirty Seven in Somerset County aforesaid by his Certain Writing Obligatory Sealed with his Seal here in Court produced whose Date is the Day & Year aforesaid acknowledged himself to be held & firmly bound unto the said Levin Gale in the aforesaid Sum of Eighty four thousand Pounds of Merchantable Leaf Tobacco fit for Shipping to be paid to the said Levin Gale when he should be thereunto requested the which the aforesaid Joseph Manlester the said Sum of Eighty four thousand Pounds of Merchantable Leaf Tobacco fit for Shipping or any Part thereof altho' often requested to the said Levin Gale hath not rendered or paid but the same to him to render or pay hath (refused)