County Greeting, We command you that you attach any the goods Chattels Rights or Credits of Thomas Howard of Baltimore County Planter otherwise Called Thomas Howard of Ann Arundel County Planter if they shall be found in your Bailywick to the Value of one hundred and four pounds ten shillings Sterling and three Thousand pounds of 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 Provincial Court to be held at Annapolis the second Tuesday of April next to satisfy unto Richard Bennett Esq. as well the sum of one hundred and four pounds ten shillings Sterling wherein Debt by the said Richard Bennett recovered agt. against the said Thomas Howard before John Bozie Esq. one of the Justices of our said Court on third Day of February Instant as the sum of nine hundred and thirty three pounds and a half pound of Tobacco Costs of Suit together with all such Costs as to the said Richard Bennett shall accrue upon this our Writ of Attachment 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 and appear before the Justices of our said Court at the Day and Place aforesaid to shew Cause if any he she or they have why the same Goods Chattels Rights or Credits so attached shall not be Condemned and Execution thereof had and made according to the form of the act of Assembly in that Case made and Provided for and towards Satisfaction of the Debt and Costs above Specified, and how you shall Execute this Writ that you make known unto Our said Justices at the same day and Place hereof fail not at your Peril, and have you then and there this Writ. Witness Levin Gale Esq. Chief Justice of Our said Court the 6th Day of February in the 29th Year of Our Dominion &c. Annoq. Dom. 1743.

Issued Feby 8. 1743. Jas Calder Rich. Burdus Cl.

At which said Second Tuesday of April to wit the 10th Day of the same Month Anno Dom. 1744, being the Day of the Return of the aforegoing Writ comes the said Richard Bennett Esq. by James Calder his Attorney and the Sheriff of Ann Arundell County to whom the same Writ was directed likewise comes and makes return thereof to the Court here thus Endorsed Viz. By Virtue of the within Writ of attachment to me Directed I hereby Certify to the Justices within mentioned that on the third day of February 1743. I attached in the hands of Samuel Howard the sum of One hundred and four pounds ten shillings Sterling and three Thousand pounds of Tobacco as of the goods and Chattels rights and Credits of Thomas Howard and to and for the use of Richard Bennett Esq. and have made known unto the said Samuel Howard before Daniel Dulany Esq. and Benjamin Young Junr. two Good and lawfull men of my Bailywick that he be and appear at the time and Place within mentioned to shew Cause &c. To answer Samuel Smith Shff.

And the said Samuel Howard Garnishee as aforesaid by Edward Dorsey his Attorney comes and prays leave to imparle hereunto untill next Court and he hath it and the same day is given to the Plaintiff also.

At which said next Court to wit, the 11th Day of September Anno Dom. 1744. Comes again as well the said Rich. Bennett Esq. by his Attorney aforesaid as the said Saml. Howard Gard. by his Attorney aforesaid. and the said Samuel Howard by his said attorney saith that he the said Richard condemnation of the Premisses or any part thereof in the hands of him the said Samuel to have ought not because he saith that he the said Samuel at the time of laying the attachment aforesaid in his hands had no Goods Chattels or Credits of the said Thomas Howard in his hands and this he is ready to verify &c. Wherefore he prays Judgment whether he the said Rich. Condemnation of the Premisses in his hands to have ought.

And the aforesaid Richard Bennett by his Attorney aforesaid saith that by any thing Pleaded Condemnation of the Premisses aforesaid so as aforesaid attached in the hands of the said Samuel Howard as of the rights and Credits of the said Thomas Howard he ought not to be Precluded because he saith that the said Samuel Howard at the time of the laying of the attachment aforesaid in his hands had of the goods and Chattels, Rights and Credits of the said Thomas Howard to the value of the sums in the Writ of attachment aforesaid Specified, to wit at Ann Arundell County aforesaid. And this he prays may be enquired of by the Country. And Defendt. also

Nevertheless the aforesaid Samuel Howard Garnishee aforesaid by his Attorney aforesaid relinquishing the averment aforesaid above by him Pleaded Says that he cannot deny but that he has of the Rights and Credits of the said Thomas Howard in his hands to the value of One hundred and four pounds ten shillings Sterling money and three Thousand pounds of Tobacco the sums so as aforesaid attached, not but that the said Rich. Bennett ought to have Condemnation thereof.

Whereupon the said Rich. Bennett by his Attorney aforesaid prays that the said sums of one hundred and four pounds ten shillings Sterling money and three thousand pounds of Tob.o

so as aforesaid Confessed and the sums so as aforesaid attached in the hands of the said Samuel Howard may be Condemned in his hands, as of the Rights and Credits of the said Thomas Howard towards Satisfying unto the said Richard Bennett as well his Debt in the Writ of Attachment aforesaid mentioned as his damages Sustained by Occasion of the Premisses aforesaid.

Therefore it is Considered by the Justices here that the said sums of One hundred and four pounds ten shillings Sterling and three thousand pounds of Tobacco so as aforesaid Confessed and the sums so as aforesaid attached in the hands of the said Samuel Howard be Condemned in his hands as of the Rights and Credits of the said Thomas Howard towards Satisfying unto the said Richard Bennett as well his Debt in the Writ of Attachment aforesaid mentioned, as his damages sustained by Occasion of the Premisses aforesaid. And that he have thereof his Execution against the said Samuel Howard according to the form of the statute &c.

Memd. The Plaintiff releases the Penalty on payment of Principal Interest and Costs.

Test. R Burdus Cl.

Samuel Chamberlain — Command was given to the Sheriff of Talbot County that he should take Anthony Lecompte late of Talbot County Planter if he should be found in his Bailywick and him safely keep so that he might have his body before the Justices of his Lordships Provincial Court to be held at Annapolis the third Tuesday of October then next to answer unto Samuel Chamberlain Esq. of a Plea of Trespass upon the Case &c. and that thereof he the said Sheriff should not fail &c.

vs.

Anthony Lecompte

At which said Third Tuesday of October to wit the 10th Day of the same Month Anno Dom. 1744. being the Day of the Return of the aforegoing Writ comes the said Samuel Chamberlain by James Calder his Attorney and the Sheriff of Talbot County to whom the same Writ was Directed Likewise comes and makes return thereof to the Court here thus Endorsed Viz.

Copied P Porter Shff.

And the said Anthony Lecompte by Stephen Bordley his Attorney comes and Defends the force and Injury when &c. and prays leave to imparle hereunto untill next Court and he hath it and the same Day is given to the Plaintiff also.

At which said next Court to wit, the 10th Day of April Anno Dom. 1745. Come again the said Parties Plaintiff and Defendant by their Attorneys aforesaid and the said Defendt. by his said Attorney prays further leave to imparle hereunto untill next Court and he hath it and the same day is given to the Plaintiff also.

At which said next Court to wit, the 11th Day of September Anno Dom. 1745. Come again the as well the said Samuel Chamberlain by his Attorney aforesaid as the said Anthony Lecompte by his Attorney aforesaid. and the said Anthony Lecompte by his said Attorney offers himself ready against the said Samuel Chamberlain in the Plea aforesaid. But the said Samuel Chamberlain altho Solemnly called comes not but makes Default nor does he further Prosecute his Writ in the Plea aforesaid against the said Anthony Lecompte.

Therefore it is Considered by the Justices here that the said Samuel Chamberlain take nothing by his Writ aforesaid but that he and his Pledges of Prosecuting be in mercy &c. and that the same of the said Pledges be caught for &c. And that the said Anthony Lecompte go thereof without Day &c. And it is also Considered that the said Anthony Lecompte recover against the said Samuel Chamberlain the sum

672½ Pounds of Tobacco by the Court here unto him on his Assent adjudged for his costs and Charges by him about his defence in this behalf laid out and expended, and that he have thereof his Execution against the said Samuel Chamberlain according to the form of the statute &c.

Test. R Burdus Cl.

Thos. Ireland Junr. and Roger Boyce — Memorandum. The Defendt. sued out his Lordship's Writ of Certiorari the Tenor whereof follows in these words Viz.

vs.

Jean Widdah Garnishee Poole

Maryland ss. Charles absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &c. To the Justices and Clerk of Calvert County Greeting. Whereas Mess.rs Thomas Ireland Junr. and Roger Boyce has by virtue of Our Writ of attachment sued out of our said County Court of Calvert lately attached in the hands of a certain Jean Widdah the sum of Seventeen pounds six shillings and four pence current money and five Thousand pounds of Tobacco as of the Effects of a certain John Poole which said Action as it is said still depends before you our said Justices undetermined, and We being willing for Divers Causes that the Action aforesaid undetermined as aforesaid should be heard and determined before the Justices of Our Provincial Court; We therefore Command you that the Record and Proceedings in the Action aforesaid and