September Term 1752

Benjamin Tasker Esq.
a
Clem.t Hill Gard. of
Samuel Hyde —
Same —
a
Same Executor Gard. ditto

Whereas by rule of the Provincial Court in September Term 1751. and by the Consent of the Parties the above Causes were Referred to John Hepburn Esq.r James Wardrop and Samuel Galloway or any two of them according to the form of the Statute as by the same Reference remaining on the Records of the said Provincial Court may more fully appear, We whose Names are hereunder Written Subscribed and Seals affixed two of the Referees above mentioned by Virtue of the Power given Us and the Referees aforesaid have fully Examined and heard the Examination Proofs and Evidences of both the said Parties and have duly and deliberately Considered the same and do now Publish and Declare this our present Award under our hands and Seals first We Order that Clement Hill Jun.r pay unto Benjamin Tasker Esq.r the Sum of One hundred and six Pounds Sixteen Shillings and five pence Sterling Money the Effects of Samuel Hyde in his hands And that Clement Hill Executor of Clement Hill Pay unto the afor.d Benjamin Tasker Esq.r the further Sum of One hundred fifty two Pounds fifteen Shillings and one Penny Farthing Sterling Money the Effects of the afor.d Samuel Hyde in his hands.

In Witness whereof We have hereunto set our hands and Seals this first Day of May Anno Dom. One Thousand Seven hundred and fifty two

John Hepburn (Seal)
Sam.l Galloway (Seal)

Which being read and heard the said Benjamin Tasker by his said Attorney prays that upon giving Security according to Act of Assembly the said Sum of One hundred and six Pounds sixteen Shillings and five Pence Sterling Money part of the Sums so as afor.d attached in the hands of the said Clement Hill and the Sum so as afor.d Awarded may be Condemned in his hands as of the Rights and Credits of the said Samuel Hyde towards Satisfying unto him the said Benjamin Tasker as well his Damages in the Writ of Attachment afor.d Specified as for his Costs and Charges accruing by Occasion of the Premises aforesaid

Thereupon a Certain Daniel Dulany Junior of Annarundel County Esq.r present here in Court in his Proper Person undertakes for the said Benjamin Tasker that in Case the said Samuel Hyde shall at any time within three Years and a day appear and make all or any part of the said Benj.a Tasker his Claim against the said Samuel Hyde appear to be Satisfied or otherwise to have been undue before the laying of this Attachment that then the said Benjamin Tasker shall make Restitution unto the said Samuel Hyde of all or such part thereof as shall so be made appear to be undue &c.a or that he the said Daniel Dulany jun.r will do the same for him

Therefore it is Considered by the Justices here That the said Sum of One hundred and six Pounds Sixteen Shillings and five pence Sterling Money part of the Sums so as afor.d attached in the hands of the said Clement Hill and the Sum so as afor.d Awarded be Condemned in his hands as of the Rights and Credits of the said Samuel Hyde towards Satisfying unto him the said Benjamin Tasker as well his Damages in the Writ of Attachment afor.d Specified as for his Costs and Charges accruing by Occasion of the Premises aforesaid, And that he have thereof his Execution against the said Clement Hill &c.a

Test. R Burgess Clk

(Pl.)

September Term 1752

Pl. No. 4 D. Benjamin Tasker Esq.r
D.
No. Hon.r Clement Hill Exor of —
Clement Hill Gard. of —
Samuel Hyde — — — —

Memd. the Plaintiff Sued out this Lordships Writ of Attachment the Tenor whereof follows in these Words Viz.t

Maryland to. Charles Absolute Lord and Propry. of the Province of Maryland and Avalon Lord Baron of Baltimore &c.a To the Sheriff of Prince Georges County Greeting We Command you that you Attach any of the Goods Chattels Rights or Credits Lands and Tenements of Samuel Hyde late of London Merchant if they shall be found in your Bailiwick to the Value of Three Thousand four hundred & seventy one Pounds seven Shillings & nine pence Sterling and twenty 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 September next then & there to be Condemned according to Act of Assembly to and for the Use of a certain Benjamin Tasker Esq.r unless he the said Samuel Hyde by himself or his Attorney shall appear and Answer unto the said Benjamin Tasker of a Plea of Trespass upon the Case according to Law and that by good and lawfull Men of your Bailiwick 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 Provincial Court to be held as afor.d to shew Cause if any he she or they have why the same Goods Chattels Rights or Credits Lands & Tenements so attached in his her or their hands ought not to be Condemned and Execution thereof had and made according to the Direction of the Act of Assembly in that Case made and provided if to him her or them it shall form meet and how you shall Execute this Writ that you make known unto our said Justices at the day and place afor.d and have you then there this Writ Witness Benjamin Young Esq.r Chief Justice of our said Court the 30.th Day of April in the 38.th Year of our Dominion &c.a Anno Dom. 1747.

Duplicate Issued the 30.th Day of April 1747. (P Key) R Burgess Clk

And now here at this Day to wit the third Tuesday of October being the 20.th Day of the same Month Anno Dom. 1747. and the day to which the Court afor.d from the said Second Tuesday of Sept.r by an Act of Assembly for that Purpose made was Adjourned comes the said Benjamin Tasker by Philip Key his Attorney and the Sheriff of Prince Georges County to whom the same Writ was Directed likewise comes and makes return thereof to the Court here thus Endorsed Viz.t

Prince Georges County s.s I hereby Certify to the Honble the Justices of the Provincial Court that I have Attached of the Rights and Credits of the within named Samuel Hyde in the hands of Clement Hill as Exor of Clement Hill Deceased for the whole Sum of Money and Tobacco within mentioned to and for the Use of Benjamin Tasker Esq.r And I further Certify to the Justices afor.d that I have made known unto the afor.d Clement Hill that he be and appear at the Day and place within contained to shew Cause why the afor.d Sum of Money and Tobacco within mentioned Attached in his hands should not be Condemned for the Use of the afor.d Benjamin Tasker Esq.r before James Haddock Waring and Benjamin Berry (this 20.th Day of May 1747) Two good and Lawfull Men of my Bailiwick as by the within Precept I am Commanded

Sd Answers Wm Maudit Shff Osborn Sprigg

And the afor.d Clement Hill Exor as afor.d and Garnishee as afor.d comes and prays leave to Imparle hereunto untill next Court and he hath it and the same day is given to the Plff. also

At which said next Court to wit the 17.th Day of May Anno Dom. 1748. Come again the said Parties Plaintiff and Defendant by their Attorneys afor.d and the said Defendant 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 10.th day of Oct. Anno Dom. 1748. Come again the said Parties Plaintiff and Defendant by their Attorneys afor.d and the said Defendant 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)