Ad. 13. Benjamin Tasker Esq.
d.
Ta. William Beall Junr.
Garn. of Samuel Hyde

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

Maryland ss. Charles Absolute Lord and Proprty. of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c. 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 and seventy one Pounds Seven Shillings and 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 Annap. the Second Tuesday of September next then and there to be Condemned according to Act of Assembly to and for the Use of a certain Benjamin Tasker Esq. 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 aforesd to shew Cause if any he she or they have why the same Goods Chattels Rights or Credits Lands and 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 seem meet and how you shall Execute this Writ that you make known unto our said Justices at the day and place aforesaid and have you then there this Writ Witness Benjamin Young Esq.r Chief Justice of our said Court the 20th. day of April in the 36th. Year of our Dominion ps. Annoq. Dom. 1750

Issued the 8th day of May 1750. (2d Day) Richd. Duckett Clk.

At which said Second Tuesday of September to wit the 11th. day of the same Month Anno Dom. 1750. being the day of the return of the aforegoing Writ comes the said Benjamin Tasker by Henry Darnall 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.

I hereby Humbly Certify to the Honble Justices within mentioned that by Virtue of the within Writ to me directed I on the twenty ninth day of August Attached of the Goods and Chattels Rights or Credits of the within Named Samuel Hyde late of London Merchant in the hands of William Beall Jun. the Sum of Sixty three Pounds four Shillings and six pence Sterling for the Use of Benjamin Tasker Esquire and have made known unto the said William Beall Jun. that he be and appear at the day and place within contained to shew Cause if any he hath why the said Sum of Sixty three Pounds four Shillings and six pence Sterling so attached in his hands should not be Condemned according to Law and thereof the said Benjamin Tasker Esq. have Execution if to him it seem meet before Robert Bradley and Baruch Williams Good and Lawfull Men of my Bailiwick

So Answers Jno. Cooke Sheriff

And the said William Beall Junr. by Thomas Clark his Attorney comes & 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 9th day of April Anno Dom. 1751. Come again the said Parties Plaintiff and Defendant by their Attorneys afsd and the said

(Defendant)

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 10th day of September Anno Dom. 1751. Comes again as well the afsd Benjamin Tasker by his Attorney afsd as the afsd William Beall Junior by his Attorney afsd and the said William Beall Junior by his said Attorney saith that he the afsd Benjamin Tasker Esq. Condemnation of the Money as afsd Attached in his hands ought not to have because he saith that at the time of laying the Attachment afsd he had not nor hath he since had nor now hath any of the Goods or Chattels Rights or Credits of the said Samuel Hyde in his hands or Possession and this he is ready to Verify wherefore he prays Judgment if the afsd Benjamin Tasker Esq. Condemnation of the said Money afsd in his hands Attached to have ought

And the said Benjamin saith that by any thing Prealledged from having Condemnation of the Premises in the hands of the said William he ought not to be Precluded because he saith that the said William at the time of laying of making the said Attachment in his hands had to the Value of the Sum in the return of the Writ of Attachment afsd Specified of the Goods Chattels Rights or Credits of the said Samuel Hyde to wit at Prince Georges County afsd And this he prays may be Enquired of by the Country And the said William in like manner

Nevertheless the said William Beall Junr. by his Attorney afsd relinquishing the Averment above by him Pretended saith that he cannot deny but that he has of the Rights and Credits of the said Samuel Hyde in his hands to the Value of the Sum of forty seven Pounds eleven Shillings sterling nor but that the said Benjamin Tasker ought to have Condemnation thereof

Whereupon the said Benjamin Tasker by his said Attorney prays that upon giving security according to Act of Assembly the said Sum of forty seven Pounds eleven Shillings Sterling the Sum so as afsd Confessed and part of the Sum so as afsd Attached in the hands of the said William Beall Junr. may be Condemned in his hands as of the Rights & Credits of the said Samuel Hyde towards Satisfying unto him the sd. Benjn. as well his Damages in the Writ of Attachment afsd Specified as for his Costs and Charges accruing by Occasion of the Premises as aforesaid

Thereupon a certain Daniel Dulany Junr. of Annarundel County Esq. 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 Benjamin Tasker his Claim against the said Samuel Hyde appear to be Satisfyed 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 ps. or that he the said Daniel Dulany junr will do the same for him

Therefore it is Considered by the Justices here that the said Sum of forty seven Pounds eleven Shillings Sterling the Sum so as afsd Confessed and part of the Sum so as afsd Attached in the hands of the said William Beall Junr. be Condemned in his hands as of the Rights and Credits of the said Samuel Hyde, towards Satisfying unto him the said Benjn. Tasker as well his Damages in the Writ of Attachment afsd Specified as for his Costs and Charges accruing by Occasion of the Premises afsd And it is also Considered that the said Benjamin Tasker recover against the said William Beall the Sum of

336 1/2 3/8. Pounds of Tobacco by the Court here unto him on his Agent Adjudged for his Costs and Charges accruing by Occasion of the said William Beall Junr. appearing & Contesting the Attachment afsd And that he have thereof his Execution ps.

Test. Richd. Duckett Clk.