City of Philad.a ss. The fifth day of february anno Dom 1771 before me the subscriber one of his Majesty's Justices of the peace for the city and county of Philad.a personally appeared John Maxwell Nesbitt of the said city merchant Copartner with Redm.d Conyngham, and being sworn on the holy evangelists of Almighty God did depose & say that the above acco.t is just & true in every particular, and the sum of seventy four pounds sixteen shillings & one half penny, being the balance is now justly due and owing unto them the said Conyngham & Nesbitt from the above named Constantine Dougherty, and that they have recev.d no part thereof nor any security or satisfaction for the same; and that there are no accounts subsisting between them the said Conyngham & Nesbitt, and the said Constantine Dougherty, whereby they, or either of them may be indebted to the said Constantine Dougherty to the amt. of the said balance or in any part thereof.

J. M. Nesbitt

Sworn at Philad.a before me James Humphreys Esq.r notary public being present. Witness my hand & seal this day & year above said.

Jacob Duché (Seal)

I James Humphreys Esq.r Notary & Tabellion public of the province of pennsylvania by lawful authority duly admitted & sworn, dwelling in the city of Philadelphia in the said province, do hereby certify and attest unto all whom it may concern, That Jacob Duche Esq.r before whom the within Affidavit is taken and made was at the time of the taking thereof and is now one of his Majesty's Justices of the peace for the city and County of Philad.a duly & legally authorised, commissioned & appointed, and that the same affidavit was so taken and made in the presence and hearing of me the said Notary.

In Testimony whereof I have thereunto set my hand and affixed my seal of Office of Notary at Phil.a aforesaid the fifth day of february in the year of our Lord one Thousand seven hundred and seventy one.

(Seal)

Jas. Humphreys Not. pub. 1771.

Whereupon the said Redmond Conyngham and John Maxwell Nesbitt by their said attorney pray that for as much as they have complied with the Law in order for attachment they may have judgment for his Lordships writ of attachment to issue against the Lands, tenements goods, chattels and credits of the said Constantine Dougherty according to the act of Assembly in such case made and provided to attach for their the said Redmond Conyngham and John Maxwell Nesbitt to the value of as well their Damages which they have as may sustain, as well by for their Costs and Charges by them about their suit in this behalf expended, and to be expended in the prosecution of the said writ of attachment: wherefore for that it appears to the Court here, that the said Redmond Conyngham and John Maxwell Nesbitt have complied with the Law as alleged, and having made satisfactory proof to the court here of their said debt to the sum of seventy four pounds sixteen shillings & one penny half penny current money it is considered by the Court here, that the said Redmond Conyngham and John Maxwell Nesbitt have the writ of attachment to issue against the Goods, chattels, rights & credits Lands & Tenements of the said Constantine Dougherty according to the act of Assembly aforesaid to attach for them the said Redmond Conyngham and John Maxwell Nesbitt to the value of as well the sum of seventy four pounds sixteen shillings and one penny current money their Damages aforesaid as the quantity of five Thousand pounds

(of)

of Tobacco for their Damages they have sustained and to which they may sustain as well by occasion of the Detention of the said debt, as for their cost and charges by them about their suit in this behalf expended, and to be expended in the prosecution of the writ of attachment; thereupon the said Redmond Conyngham and John Maxwell Nesbitt by their attorney aforesaid, prayed and sued forth out of the provincial court here His Lordships writ of Attachment in manner and form following to wit.

Maryland ss. Frederick Absolute Lord and proprietary of the province of Maryland and Avalon, Lord Baron of Baltimore &c. To the Sheriff of Baltimore County, Greeting. We command you, that you attach any of the goods, chattels rights & credits Lands & Tenements of Constantine Dougherty late of Baltimore Merchant if they shall be found in your bailiwick to the value of seventy four pounds sixteen shillings & one penny current money & five Thousand pounds of Tobacco and to keep 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 there and there to be condemned according to act of Assembly to and for the use of a certain Redmond Conyngham & John Maxwell Nesbitt unless he the said Constantine Dougherty by himself or his attorney shall appear and answer unto the said Redmond Conyngham & John Maxwell Nesbitt of a plea of Trespass upon the case & so forth according to Law; and that by good and lawful 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 aforesaid, to shew cause, if any he, she, or they have to keep 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 directions of an 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 and there this writ. Witness John Leeds Esq.r one of the justices of our said Court, the first day of October in the 21st year of our Dominion anno quo dominii 1771.

Issued the 25 day of October 1771. (Rec.d Reverdy Ghiselin Clk

And now at this day court the said second Tuesday of April being the fourteenth day of the same month in the year of our Lord one Thousand seven hundred and seventy two, and the day of the return of the said writ of attachment comes into the provincial Court here the said Redmond Conyngham and John Maxwell Nesbitt by their attorney aforesaid, and the Sheriff of Baltimore County to whom the said writ was directed make return thereof to the court here they endorsed to wit.

I hereby certify that in Obedience to the within writ I have attached 36ac of Land part of a Tract of Land called Maydons Bower and also 13ac of Land called Millers delight situate lying and being on Deer creek in Baltimore County the Land and Tenements of the within Constantine Dougherty appraised and valued to the sum of fifty eight pounds sixteen shillings current money as by the within writ I am commanded

So answers John B. Holliday Sheriff

To which aforegoing return was annexed the following Schedule to wit.

A True inventory of the Lands of Constantine Dougherty taken by virtue of an attachment for the use of Redmond Conyngham

(and)