John Clarke.
against
Marsham Warring
Garnishee of James de Drusina, Julius Conrad Ridder, and James Clerke.

Be it remembered that heretofore court on the sixth day of October Anno Domini one thousand seven hundred and eighty eight, John Clark by William Cook his attorney sued out of our General Court here the State of Maryland's writ of Attachment directed to the sheriff of Montgomery county in the words & figures following to wit

The State of Maryland ss. To the sheriff of Montgomery county Greeting. We command you that you attach the goods and chattels lands and tenements, rights and credits of James de Drusina, Julius Conrad Ridder and James Clerk, being in your Bailiwick to the amount of fourteen thousand and fifty eight pounds six shillings and three pence currentmoney certain damages, as also the sum of five 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 Judges of the General Court to be held at the city of Annapolis on the second tuesday of October instant then and there to be condemned according to law to and for the use of John Clark, and that by good and lawful men of your bailiwick you make known unto the person or persons in whose hands you shall attach the same, that, he she or they be and appear before the Judges of our next General Court to be held on the day and at the place aforesaid, to shew cause if any thing for themselves they have or know to say why the same should not be condemned in his her or their hands for the use of the said John Clark and Execution thereof had and made according to the directions 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 Judges on the day and place aforesaid. and have you then and there this writ. Witness the Honorable Robert Hanson Harrison Esquire chief Judge of our said Court the 6th day of October 1788. W Cooke.

Issued the 6th day of October 1788. John Gwinn Clk

At which said second tuesday of October to wit, the fourteenth day of the same month Anno Domini one thousand seven hundred and eighty eight, being the day of the return of the aforegoing writ, comes here into our General Court the said John Clarke by his attorney aforesaid, and the Sheriff of Montgomery county to whom the same writ was made and directed, likewise comes and makes return thereof to the Court here thus endorsed to wit.

Said in the hands of Marsham and Henry Warring in the presents of Charles Magruder & James Clagett. 11th day of October 1788. Wm Robertson Shff

And the said Marsham Warring and Henry Warring Garnishee of James de Drusina, Julius Conrad Ridder, and James Clerke by William Cummond Dorsey their attorney come and defend the force and injury when and so forth and pray leave of the Court to imparle hereunto until next Court, and they have it, and the same day is given to the said John Clarke also.

And now here at this day to wit, the second tuesday of May being the twelfth

twelfth day of the same month Anno Domini one thousand seven hundred and eighty nine come again here into our General Court as well the said John Clarke by his attorney aforesaid as the said Marsham Warring garnishee as aforesaid by his attorney aforesaid. And the said Marsham Warring garnishee as aforesaid by his attorney aforesaid saith that he cannot deny, but that he has of the goods and chattels of the said James de Drusina Julius Conrad Ridder and James Clerke in his hands to the value of three thousand five hundred pounds currentmoney, nor but, that the said John Clarke ought to have condemnation thereof: Whereupon the said John Clarke by his attorney aforesaid prays that upon giving security according to act of Assembly, the sum of three thousand five hundred pounds currentmoney, part of the sum so as aforesaid attached in the hands of the said Marsham Warring garnishee as aforesaid may be condemned in his hands as of the rights and credits of the said James de Drusina, Julius Conrad Ridder and James Clerke towards satisfying unto him the said John Clarke as well his damages in the writ of Attachment aforesaid specified, as for his costs and charges accruing by occasion of the premises aforesaid: Thereupon a certain William Cooke of Ann Arundel county present here in Court, and undertakes for the said John Clarke, that in case the said James de Drusina, Julius Conrad Ridder and James Clerke shall at any time within one year and a day appear and make all or any part of the said John Clarke, his claim against them the said James de Drusina, Julius Conrad Ridder, and James Clerke appear to be satisfied or otherwise undue before the making and laying of this attachment, that then the said John Clarke shall make restitution unto the said James de Drusina, Julius Conrad Ridder and James Clerke of all or such part thereof as shall be made appear to be undue and so forth, or that the said William Cooke will do the same for him. —

Therefore it is considered by the Judges here, that the said sum of three thousand five hundred pounds currentmoney part of the sum so as aforesaid attached in the hands of the said Marsham Warring, be condemned in his hands as of the rights and credits of the said James de Drusina, Julius Conrad Ridder and James Clerke towards satisfying unto the said John Clarke as well his damages in the writ of Attachment aforesaid specified, as for his costs and charges accruing by occasion of the premises aforesaid: And it is also considered, that the said John Clarke recover against the said Marsham Warring the garnishee as aforesaid the quantity of four hundred and nineteen pounds and one fifth of a pound of tobacco for his costs and charges accruing duly by occasion of the said Marsham Warring garnishee as aforesaid, his appearing and contesting the attachment aforesaid: and that the said John Clarke have thereof his Execution and so forth.

Memorandum. Judgment was rendering in this cause on the sixteenth day of May Anno Domini one thousand seven hundred and eighty nine, for three thousand five hundred pounds currentmoney, to be released on the payment of two thousand seven hundred and sixty one pounds and ten pence currentmoney and interest thereon from this day, one forth payable on the first day of January Anno Domini one thousand seven hundred and ninety, one forth payable on the first day of January Anno Domini one thousand seven hundred and ninety one, one forth payable on the first day of January Anno Domini one thousand seven hundred and ninety two, and one forth payable on the first day of January Anno Domini one thousand seven hundred