Afterwards the Process Continued between the parties aforesaid on the plea aft in form aft
Until the third Tuesday of October next Unless the Justices of his Lordship the Lord Propry to take
the Assizes in the said County assigned shouldbefore that time to wit on Monday the Sixteenth
day of September next to the County Court house in the said County Come
And now here at this day to wit the third Tuesday in October being the Sixteen day of the same
Month Anno Dom: 1724 Comes again into his Lordships Provincial Court here as well the v:
James Govan adm: as aft by his Attorney aforesaid as the said James Thompson in his Capacity
aforesaid by his Attorney aft But the Sheriff hath not sent his writ
Whereupon the said James Thompson in his Capacity aft by his said Attorney relinquishing
his Avarment aft by by him above pretended saith that he cannot Gainsay but that he
had in his hands of the rights and credits of the said David Dennis at the time of laying
the Attachment aforesaid in his hands to the Value of Seven pounds Eleven Shillings and
Eleven pence Sterling nor but that the said Sum ought to be Condemned to the use of the
said James Govane of the goods and Chattels of Elizabeth Burnell who was adm:x of James
Martin in his hands to be Administered which the said James Govane doth not Gainsay
Wherefore the said James Govane adm:r as aft by his Attorney aft prays that upon giving
Security According to Act of Assembly that the said Sum of Seven pounds Eleven Shillings
and Eleven pence Sterling the Sum so as aft Attached and Confessed may be Condemned in
the hands of the said James Thompson Executor of the said Elizabeth Burnell who was adm:x of
the said James Martin and Garnishee of the said David Dennis as of the Rights and
Credits of the said David Dennis towards Satisfying unto the said James Govane adm:r
his Damages and Costs in the plea aforesaid.
Thereupon Dan: Dulany of Annapolis Gent Present herein Court Undertakes
for the said James Govane adm: as aforesaid that Incase the said David Dennis shall
at any time within a year and a day Appear and make all or any part of his the v:
James Govane adm:r as aforesaid his Claim against him Appear to be Satisfied or
otherwise to have been undue before the Laying of this attachment that then the said
James Govane adm: as aft shall make Restitution unto him the said David Dennis
of all or such part thereof as shall so be made Appear to be undue or he the said
Daniel Dulany will do it for him
Therefore it is Considered by the Justices here the 20th day of October Anno
Dom: 1724 aforesaid that the said Sum of Seven pounds Eleven Shillings and
Eleven pence Sterling the Sum so as aft Attached in the hands of the said James
Thompson Ex: of Eliz: Burnell who was adm:x of the said James Martin be Condemned in
his hands as of the Rights and Credits of the said David Dennis towards Satisfying
unto the said James Govane adm: as aft his Damages and Costs in the plea aft

(and)



And also it is Considered by the said Justices that the said James Govane adm: as aft recover
a:st the said James Thompson the Sum of
1744 pounds of Tobacco by the Court here adjudged unto him
for his Costs and Charges Accruing by Occasion of his the said James Thompsons Appearing
the writ of Attachment in the plea aforesaid &c:

---

Richard Smith ... September Term 1723
Wm Wilkinson Gent: of Aidon Carlton ... } Charles County ss. Be it Remembered that heretofore to wit
the 25th day of September in the Seventh year of the Dominion
of the Right Honourable the Lord Propry that now is &c: Anno Dom: 1722
The said Lord Propry Commanded the Sheriff of Charles County by his Close writ
of Attachment that he should attach any the Goods Chattles rights or Credits of Aidon
Carlton late of the City of London Merchant if they shall be found in his bailywick to the
Value of two hundred Ninety Nine pounds Sterling and fifteen thousand pounds of Tob:
and when he had the Same so attached or any part thereof the Same in his Custody should
safe keep so that he might have the Same before the Justices of the Provincial Court
held at Annapolis the Second Tuesday of April then next then and there to be Condemned
According to Act of Assembly to and for the use of a certain Richard Smith Jun: Unless
he the said Aidon Carlton by himself or his Attorney should appear and answer unto
the said Richard Smith in a plea of Trespass upon the Case According to Law and that by
good and Lawful men of his bailywick he should make known unto the person or persons
in whose hands he should make the Same Attachment that he she or they should be
and appear before the Justices of the said Court holden as aft to show Cause if any he she
or they have why the Same goods Chattles Rights or Credits so Attached in his hands 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
should seem meet And how he should Execute that writ that he should make known
unto the said Justices at the day and place aforesaid and that he should have then there
that writ. At which said Second Tuesday of April to wit the Ninth day of
the Same Month Anno Dom: 1723 being the day of the return of the said precept Came
the said Richard Smith Jun: by Dan: Dulany his Attorney and the Sheriff of Charles
County aforesaid to whom the Same precept was directed Likewise Came and made return
thereof to the Court here Endorsed in these words Viz:
Notify to the Justices within mentioned that on the third day of April Anno 1723
I attached the Sum of two hundred Ninety Nine pounds Sterling and fifty thousand
(pds)