

John Darnall  
 ag<sup>t</sup>  
 Simon Wilmer Attorney  
 & Agent of Capt Rich<sup>d</sup>  
 Perry

} **Comand** was given to the sheriffe of Cal- Liber W. C.  
 vert County that Whereas It was formerly  
 comanded the sheriffe of the said County  
 that he should attach any the goods Chattles  
 or Creditts of Jarvis Ballard to y<sup>e</sup> vallue  
 of Thirty three Thousand Three hundred p. 530

thirty and three pounds of Tobacco: and when he had the same Soe attached as aforesaid or any part thereof to deliver the same unto John Darnall; and to what vallue he should attach & deliver as aforesaid he make Knowne to the Justices of the Provinciaall Court to be held at the City of st Maryes the Ninth day of Aprill 1678 Att w<sup>ch</sup> said Ninth day of Aprill the said sheriffe made returne that he had attached in the hands of Samuel Holdsworth Nine thousand three hundred pounds of Tobacco, in the hands of William Harris ffoure thousand pounds of Tobacco, In the hands of ffrancis Collyer Eighty yards of Duffells Vallued at Eight hundred pounds of tobacco, In the hands of John Peirce Eight hundred pounds of Tobacco and in the hands of mr Rousby due from Capt Perry ffoure Thousand pounds of Tobacco Itt was therefore comanded the said sheriffe that by good and Lawfull men of his baliwick he make Knowne unto Symon Wilmer Attorney and Agent of the said Richard Perry that he be and appeare here the fourth day of October in the Sixth yeare of ye Dominion of the Right hono<sup>ble</sup> Charles Lord Baltemore &c<sup>a</sup> Annoq; Doni. 1681. to Shew cause If any he have why the said sume of ffoure thousand pounds of tobacco soe attached in the hands of the said Christopher Rousby then the Attorney of the said Richard Perry as the Estate of the said Jarvis Ballard ought not to be rendered Satisfyed and payd unto the said John Darnall

Att which said Provinciaall Court To witt on the said fourth day of October 1681 aforesaid Coll Henry Jowles sheriffe of the County aforesaid made Returne of the writ aforesaid that by good men of his baliwick he hath made Knowne to the said symon Wilmer that he be and appeare here at the Day and place in the said writ mentioned

And the said Symon Wilmer by Thomas Burford his Attorney cometh and Defendeth the force & injury when &c and prayeth Liberty to Imparle hereunto untill next Provinciaall Court and it is granted unto him the same day is given to both partyes

Att w<sup>ch</sup> said next Provinciaall Court Came the said partyes by their Attorneys aforesaid and the said Symon Wilmer by his said Attorney sayth: that the said ffoure Thousand pounds of Tobacco in the said scire facias mentioned to be attached in the hands of the said Christopher Rousby late Attorney of the said Richard Perry Ought not to be payd unto the said John Darnall because he Sayth that the said John Darnall hath not Sufficiently Proved his said Debt Nor hath the said John Darnall given any security in this Court such as is required by the act of Assembly in this Case made