

March Court 1718

Said Patrick Nimane by Michael Howard his atty comoth and prayeth
 over of the writ of Attachment of the ass Samuel Peale John Carpenter and
 Company Merchants and it is read unto him in these words following words
 to wit Charles absolute Lord and Proprietarie of the province of Maryland
 and Charles Lord Baron of Baltimore &c. to the Sheriff of Kent County greeting
 well Commaund you that you Attach any the goods Chattell Rights or Credits
 of Patrick Nimane late of Kent County Planter if they shall be found in
 your County to the Value of two thousand four hundred pounds of
 Tobacco and that when you have the same so attached or any part
 thereof the same in your County safe keep so that you have them before
 the Justices of Kent County Court to be held at our Court house in the Town
 of Chester in Said County on the Third Tuesday in March next then and
 there to be Condemned according to act of Assembly to and for the use
 of a certain Samuel Peale John Carpenter and Company Merch. unless
 he the said Patrick Nimane by himself or his atty shall appear and
 answer unto the said Samuel Peale John Carpenter and Company Merch.
 in a plea of Trespass of the Case according to Law and that by good and
 Lawfull men of your County 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 said Court to be held at the
 time and place aforesaid to shew cause if any he she or they have why the same
 goods Chattell rights or Credits so attached in his her or their hands ought
 not to be condemned according to Law if to him her or them if they shall so
 meet and how you shall execute this writ that if make known unto our
 said Justices at the day and place aforesaid and have if then and there this
 writ with us per Athanasius Hyndson Gent. chief Justice of our said Court
 this Twentieth Second day of November in the fourth Year of our Dominion
 &c. Anno Domini Sebastian hundred and Eighteen and the said Thomas
 Tolley prayeth also over of the Sheriff's return upon the said writ and
 it is read unto him in these ensuing words to wit By virtue of the within
 writ to me directed I have to the Justices within mentioned that I have
 attached of the goods Chattell rights and Credits of the within named Patrick
 Nimane the sum of sixteen hundred pounds of Tobacco in the hands of
 Thomas Tolley and have the same here ready to be condemned according to
 Law to the use of the within named Samuel Peale John Carpenter and Comp.
 in parte of the within mentioned sum of two thousand and four hundred
 pounds of Tobacco and have made known to the same Thomas Tolley before
 William Pope and Thomas Coke good and Lawfull men of my County
 that the said Thomas Tolley be and appear at the time and place within
 mentioned to shew cause if any he hath why Condemnation of the same
 should not be made according to Law as the within writ requireth and
 requires of Simon Wilmer Mer. which being read and heard the said
 Thomas Tolley saith that the Justices of the said Court of Kent County aforesaid
 ought not to hold plea of the said Attachment and return upon the same writ
 because he saith that by an Act of Assembly of this province made at
 a Session of Assembly begun and held at the City of Annapolis in Annapolis
 County