

March Court 1719

All which said next Court to wit the 17th day of November Anno Dom 1719 comes again as well the said p^{ts} by their atty ap as also the said Garnish by his said atty ap and the said Cause was continued until next Court

All which said next Court to wit the 21st day of March Anno Dom 1719 comes again the said p^{ts} by their atty ap as also the said Garnish by his atty ap and the ap Thomas Tolley Garnish as ap of the ap Patrick Niman by M. Howard his atty comes & defends the force & Injury when Lrd and for plea saith that the said Sam^l Peale John Carpenter & Company Merchants their Attachment ap & Judgment & Condemnation thereof in the said Tho. Tolley's hands to have ought not because he saith that he hath not nor had he at y^e time of the laying y^e Attachment ap or at any time since any the Effects goods or Chattels of the said Patrick Niman and of this he puts himself upon the Country &c

All the p^{ts} in like manner

yet notwithstanding the said Thomas Tolley Garnish as ap ~~ap~~ in his proper person relinquishes the Abjournment ap by him above precluded. As before defends the force and Injury when Lrd and says that they cannot gain say the p^{ts} their Attachment and return thereof as to the sum of one thousand pounds of Tobacco in his hands of the goods or Chattels of the said Patrick Niman and the Costs the said p^{ts} shall bear in prosecuting the said Attachment ag^t him the said Garnish &c which the said p^{ts} does not gain say.

Whereupon the said p^{ts} by their ap prays that they may have Condemnation of the ap one thousand pounds of Tobacco as of the Goods & Chattels Rights or Credits of the said Patrick Niman ~~and~~ Satisfying part of the said p^{ts} their Damages recovered in the plea ap as also the Cost ag^t the said Thomas Tolley by reason of the said p^{ts} prosecuting their Attachment ap. Therefore it is considered by the Justices here to wit the 21st day of March Anno Dom 1719 ap that the said sum of one thousand pounds of Tobacco to be ap Attached in the hands of the said Thomas Tolley ~~as ap~~ ~~be~~ ~~condemned~~ in the hands of him the said Thomas Tolley as of the goods and Chattels Rights or Credits of the said Patrick Niman towards Satisfying unto the said Samuel Peale John Carpenter & Company ~~the~~ well part of their Damages recovered in the plea ap and that they the ap p^{ts} have

there