

November 1723 124

Thomas Drummond Esq  
of the County of Gloucester

memorandum the gift by his attorney sued out his Lordship writ of attachment agt the  
defendant the tenor whereof followeth in these words vizt.

Robert Edds Garnishee

Somerset County for Charles absolute Lord and proprietor of the provinces of Maryland  
and availed Lord Baron of Baltimore &c. To the Sher. of Somerset County greeting We Command

you that you attach any the goods Chattels rights or credits of Robert Edds of Rowbury parish in the County afo-  
Cooper ad. dictus Robert Edds in the County afo if they shall be found in your Bailiwick to the value of two thousand  
two hundred pounds of tobacco and when you have the same attached on any part thereof the same in your custody safe keep  
so that you have the same before the Justices of Our County Court to be held at Durdug Creek in Somerset County afo  
the third Tuesday of November next then and there to be condemned according to act of assembly to and for the use of  
afo. Thomas Drummond and Mary his wife admt. of John Griffith dec. unless the said Robert Edds by himself or  
his attorney appear and answer unto the said Thomas Drummond and Mary his wife admt. as afo. in open that he render  
unto them fifteen hundred pounds of tobacco which from them he unjustly detains &c. according to ~~act of assembly~~ <sup>law</sup>  
that by good and Lawfull men of your Bailiwick 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  
as afo. to show cause if any he she or they have why the same goods Chattels rights or credits so attached in his her  
or their hands ought not to be condemned and Execution thereof had &c. made according to 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 Justices at the day and place afo. and have you then & there this Writ Witness  
Charles Ballard Esq. Chief Justice of Our said Court the 24th day of August in the Eighth Year of Our Dominion  
&c. and dated 1723. (Lyle) Thomas Hayward Esq.

At which said third Tuesday of November to wit the Nineteenth day of ~~November~~ <sup>the</sup> same month and year One  
thousand Seven hundred and twenty three being the day of the return of the said Writ came the said Thomas  
Drummond and Mary his wife <sup>admt. as afo.</sup> by Lewis Gale their attorney and the Sher. of Somerset County to whom the foregoing  
writ was directed & he with Counsel and makes return thereof to the Court here ~~indorsed~~ <sup>indorsed</sup> in these words following vizt.

To the worshipful Justices within mentioned I humbly certify that by virtue of the within Writ to  
me directed I have attached in the hands of Hugh Carter the sum of One hundred and Sixty pounds of tobacco as the  
Rights and Credits of the within Named ~~Robert Edds~~ <sup>Robert Edds</sup> and I further certify that I have given Notice unto the said  
Hugh Carter that he be appear at the time & place within contained to show cause &c. Before Math Hopkins and  
John ~~good~~ <sup>good</sup> and Lawfull men of my Bailiwick as by the within writ I am commanded so answer -  
Jos. McCarter Sher.

Whereupon the said Hugh Carter Garnishee as afo. at this solemnly failed to show cause why &c. comes not but  
makes default nor does any other person appear for him to show cause to the contrary &c.

Whereupon the said Thomas Drummond and Mary his wife admt. as afo. by their attorney afo. pray that the sum  
of One hundred & Sixty pounds of tobacco afo. so as afo. attached in the hands of the said Hugh Carter as of the Rights  
and Credits of the said Robert Edds may be condemned in the hands of the said Hugh Carter towards satisfying  
unto the said Thomas Drummond & Mary his wife admt. as afo. as well the sum of two thousand two hundred lbs  
of tobacco the debt afo. as also all costs accruing upon the writ of attachment afo. - Therefore it is considered.  
(by)