

November Court ---- 1723 ---- 126

Barth Simpson } memorandum the gift by his attorney Shad But his Lordships writ of attachment against the debt the
Arthur Hayman } tenour of which writ followeth in these words viz - Somerset County sh^r Charles absolute Lord & proprie-
: clary of the province of Maryland and avolon Lord Baron of Baltimore &c. To the Sher^t of Somerset County
greeting we command you that you Attach any the goods Chattels rights or credits of Arthur Hayman of Hopkyn parish in
County of Somerset planten if they shall be found in your Bailiwick to the value of seven pounds six shillings and nine
pence and six hundred pounds of tobacco and when you have the same so attached or any part thereof of the same
in your custody safe keep so that you have the same before the Justices of Our County Court to be held at dividing fresh
in Somerset County the third Tuesday of November next then there to be condemned according to act of assembly to and
for the use of Barth Simpson unless the said Arthur Hayman by him self or his attorney appear and answer unto
the said Barth Simpson in answer of his gift upon the fact &c according to Law and that by good & Lawfull men of your
Bailiwick you make known unto the person or persons in whose hand you make the same attachment that he she or they
be and appear before the Justices of Our said Court to be held as aforesaid to shew 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 & Execution thereof and
made according to act of assembly in that Case made and provided if to him her or them it shall seem matter and how you
shall Execute this writ that you make known unto Our said Justices at the same day & place aforesaid and have you then
here this writ with respect Charles Ballard Gentle: Chief Justice of Our said Court the 24th day of August in the Eighth year of
Our Dominion &c. Anno Dom^o 1723. (H Allen)

Thomas Hayward Esq^r

At which said third Tuesday of November to wit the Nineteenth day of the same month and Year One thousand Seven
hundred and twenty three Being the day of the return of the said Writ Cometh the said Barth Simpson by Francis
Allen his attorney and the Sher^t of Somerset County to whom the foregoing Writ was directed Likewise Cometh &
maketh return Hereof to the Court here Endorsed in these words, ~~following viz~~ To the worshipful Justices within
mentioned I humbly Certifie that by virtue of the within Writ to me directed I have attached in the hands of Arthur Hayman
the Sum of seven pounds six shillings and nine pence & six hundred pounds of tobacco and further Certifie that I have
given Notice unto the said Arthur Hayman that he be appear at the time & place within Comanded to shew Cause &c. be for
Hugh Carter and John Doe good and Lawfull men of my Bailiwick as by the within Writ I am Comanded so -
Jos: McCarter Sher^t

Whereupon the said Arthur Hayman altho' solemnly Called to shew Cause why &c. Comes not but makes
default nor does any other person appear for him to shew Cause to the contrary &c -

Whereupon the said Barth Simpson by his attorney aforesaid prays that the Sum of seven pounds
six shillings and nine pence and six hundred pounds of tobacco aforesaid attached may be condemned in the hands of
the said Arthur Hayman for the use of the said Barth Simpson &c -

Therefore it is Considered by the Justices here the Nineteenth day of November and Year One thousand Seven
hundred and twenty three that the aforesaid Sum of seven pounds six shillings and nine pence & six hundred pounds of tobacco
so as aforesaid attached be condemned in the hands of the said Arthur Hayman for the use of the said Barth Simpson
and that the said Barth Simpson have thereof his Execution against the said Arthur Hayman according to act
of assembly &c