

March Court --- 1723 --- 171

Endowed according to act of assembly to and for the use of a certain Robert Martin under the said William Gilchrist and Thomas Brown by themselves or their attorney shall appear and answer unto the said Robert Martin in plea of trespass upon the case & according to Law and 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 it 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 continued and Execution thereof had and made according to the form of the 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 aforesaid and have you then and there this writ with Wit of Charles Ballard Gent. one Justice of our said Court the 21 day of March in the Eight Year of our Dominion & Anno Domini 1722 - Aff. Allen, Thomas Hayward Gent -

At which said third Tuesday of June to wit the Eighteenth day of the same month and Anno Domini One thousand Seven hundred and twenty three being the day of the return of the said Writ Comers the said Robert Martin by William Fawcett his attorney and the Sher. of Somerset County to whom the foregoing writ was directed Likewise Comers and makes Return thereof to the Court here Endorsed in these words. Following viz.

To the worshipful Justices within mentioned I humbly Certify that I have attached in the hands of Francis Allen of the goods and Chattels of the within Named William Gilchrist and Thomas Brown to the value of two pounds Eight Shillings and Six pence, and I further Certify that I have given Notice unto the said Francis Allen that he be and appear at the time and place within contained to show Cause & before John Doe & Richard Roe good & Lawfull men of my Bailiwick as by the within Writ I am Comanded for -

And the said Francis Allen in his own proper person Comers and defends the force and Injury when & pray Leave to Imparl hereunto unto the next Court and he shall it and the same day is given to the Defendant.

At which said next Court to wit the twentieth day of August and Anno Domini One thousand Seven hundred and twenty three Comers again as well the said Plaintiff by his attorney aforesaid as the said Defendant in his own proper person and the said Defendant in his own proper person pray further Leave to Imparl hereunto unto the next Court and he shall it and the same day is given to the Defendant also - At which said next Court to wit the Nineteenth day of November and Anno Domini One thousand Seven hundred and twenty three Comers again as well the said Plaintiff by his attorney aforesaid as the said Defendant in his own proper person, and the said Defendant in his own proper person pray further Leave to Imparl hereunto unto the next Court and he shall it and the same day is given to the Defendant.

At which said next Court to wit the Seventeenth day of March and Anno Domini One thousand Seven hundred and twenty three Comers again as well the said Plaintiff by his attorney aforesaid as the said Defendant in his own proper person and the said Defendant in his own proper person as before defend the force and Injury when & pray that the said Robert Martin's attachment of two pounds Eight Shillings and Six pence or any part thereof in his hands attached as the goods and Chattels of the said Gilchrist and Brown ought not to have because he saith that at the time of the laying of the attachment aforesaid he had not nor at any time since hath had any goods or Chattels of the said Gilchrist and Brown in his hands or was in anywise to them Indebted and that he is ready to satisfy whereof he prays Judgment if the said Robert Martin's attachment of the premises or any part thereof is or is not attached in his hands thereupon ought to have & fallen in favor - Whereupon the said Court

(Francis)