

August Court ----- 1723 ----- 91

John Currell Sheriff: whose upon the said Thomas Howell in his own proper person appeareth and saith that he cannot give any but that he hath of the rights and credits of the said William Kenney to the sum of one pound ~~ten~~ shillings so as aforesaid attached in his hands, Likewise, the ~~sayd~~ Sarah Sticks in her proper person appeareth and maketh Oath that she was not indebted unto the said William Kenney at the laying of this attachment nor at any time since, Likewise the ~~sayd~~ William Emmells altho' solemnly called doth not come but maketh default Likewise the ~~sayd~~ Charles Smith altho' solemnly called doth not come but maketh default, Likewise the ~~sayd~~ John Adams altho' solemnly called doth not come but maketh default Likewise the ~~sayd~~ Thomas Thomas altho' solemnly called doth not come but maketh default where by the said ~~sayd~~ Remaneth against the said ~~sayd~~ without further defence - Whereupon the said Thomas Howell by his attorney aforesaid prayeth that giving security according to act of assembly the severall Sums of Money and toll five Sheep and ten Bushells of Corn as of the rights and credits of the said William Kenney so as aforesaid attached in the hands of Thomas Howell, William Emmells, Charles Smith, John Adams and Thomas Thomas may be condemned in the hands of the said Thomas ~~Howell~~ Thomas, Thomas Howell, William Emmells, Charles Smith, and John Adams towards Satisfaction of the said Thomas Howell's damages and Costs aforesaid - Thereupon Francis Allen Gent one of the attorneys of this Court present here in Court undertakes for the said Thomas Howell according to act of assembly that in case the said William Kenney do at any time within a year and a day appear and make all or any part of the Claim of the said Thomas Howell against him appear to be satisfied or otherwise to have been made before the laying of this attachment that then the said Thomas Howell shall make restitution to him the said William Kenney of all or such part thereof as shall be made appear to be undue &c. or that he the said Francis Allen will do it for him - Therefore it is Considered by the Justices here the Eleventh day of June and Done One thousand Seven hundred and twenty three that said Sum of ~~one~~ pound ~~ten~~ shillings so as aforesaid attached in the hands of the said Thomas Howell as of the rights and credits of the said William Kenney be condemned in the hands of the said ~~William~~ Thomas Howell as of the rights and credits of the said William Kenney for the use of the said Thomas Howell towards Satisfaction of his damages and Costs aforesaid and that there of he have his Execution according to act of assembly &c.

Therefore it is Considered by the Justices here the same day and year last mentioned that the said five Sheep so as aforesaid attached in the hands of the said William Emmells as of the rights and credits of the said William Kenney be condemned in the hands of the said William Emmells as of the rights and credits of the said William Kenney for the use of the said Thomas Howell towards Satisfaction of his damages and Costs aforesaid and that there of he have his Execution against the said William Emmells according to act of assembly &c.

Therefore it is Considered by the Justices here the same day and year last mentioned that the said Sum of Nine hundred pounds ^{two} of so as aforesaid attached in the hands of the ~~sayd~~ Charles Smith as of the rights and credits of the said William Kenney be condemned in the hands of the said Charles Smith as of the rights and credits of the said William Kenney for the use of the said Thomas Howell towards Satisfaction of his damages and Costs aforesaid and that there of he have his Execution against the said Charles Smith according to act of assembly &c.

Therefore it is Considered by the Justices here the same day and year last mentioned that the said

(Sume)