

Novemb Court -- 1726 -- 199

asumpcion ad, against the ad James, ought to recover - whereupon the Justice here at the prayer of the ad Thomas, and by the consent of the ad James according to act of assembly in such case made and provided do as for the damages of the same Thomas by reason of the non performance of the promise and asumpcion ad besides his costs and charges, by him about his suite in that part expended to one young Row and Case 8^o -

Therefore it is considered by the Justice here the fifteenth day of Novemb. and Dow. One thousand seven hundred and twenty six ad that the ad Thomas Hugg recover against the ad James Smith one young Row and Case his damages ad by the Justice ad in form ad as per ad also the sum of two hundred and eighty five pounds of tobacco for his costs and charges, by him about his suite in that part expended to the same Thomas, by the Court here of his as per adjudged, and the ad James in mercy &c

J. Joseph M^r Gester

memorand^m the Bef^t by Seon^r Gale his attorney sued out his Lordships writ of attachment against the defendant the tenor - whereof follows in these words viz

Ed Samuel Huellem Garniske of Cornelius Walkinson --

Somerset^t p. Charles absolute Lord and proprietary of the

provinces of Maryland and Avalon Lord Baron of Baltimore &c To the Sheriff of Somerset County greeting we command you that you attach any the goods Chattels Rights or Credits of Cornelius Walkinson late of Somerset County planter if they shall be found in your Bailiwick to the value of One thousand four hundred and fifty pounds of tobacco and when you have the same attached or any part thereof the same in your custody safe keep so that you have the same before the Justice of our County Court to be hold at Dividing Creek the third Tuesday of June next then and there to be examined according to Law to and for the use of a certain Joseph M^r Gester unless the said Cornelius Walkinson by himself or his attorney shall appear and answer unto the said Joseph M^r Gester in plea of his as per upon the case &c according to Law and that by good & 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 Justice of our said County Court to be hold as ad 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