

November Court ---- 1730 ---- 90 --

may give Security for Costs in case non-suit be obtained against him in the plea aforesaid which is by the Court Granted thereupon
a certain Francis Allen of Somerset County Gent. present here in Court undertakes for the said Robert Smith that in case he be con-
-suted in the plea aforesaid or otherwise Legally Cast that then the said Robert Smith shall pay the condemnation of the
Court and all Costs accruing thereon to the said William Boyne or that he the said Francis Allen will do it for him thereupon
the said Wm. Boyne by his attorney aforesaid appears & impartially like next Court &c

L^d. Andrew Scott } Memorand^m. The post by Lewis Gale his attorney read out his Lordships writ of attachment against
Hugh Scott - } the defect whereof followeth in these words vizt -

Somer set. Charles absolute Lord and proprietary of the provinces of
- - - - - England and Avalon Lord Baron of Wiltmore &c. To the Sheriff of Somerset County Greeting we
Command you that you attach any the Goods or Chattels Rights or Credits of Hugh Scott Esq. of Somerset County worth if
they shall be found in your Bailiwick to the value of Six pounds Eleven Shillings Curr. money and five hundred &
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 them before our Justice of our County Court of Somerset to be held at dividing Court the third Tuesday of November
next then and then to be condemned according to act of assembly to and for the use of a certain Andrew Scott unless the
said Hugh Scott by himself or his attorney shall appear and answer unto the said Andrew Scott in order of his post upon
the day according to Law and that by your and your men of your Bailiwick you make known unto the person
or persons in whose hand you make the same attachment that he or they be and appear before the Justice
of our County Court to be held as aforesaid to show cause if any he or they have why the same goods Chattels Rights
or Credits so attached in his or their hand ought not to be condemned and execution thereof had and made according
to act of assembly in such case made and provided if to him or to them shall seem mete and how you shall execute
this writ that you make known unto our said Justice at the same day and place aforesaid & have you then than then &
have this writ Witness Samuel Hopkins Gent. Chief Justice of our said Court the 15th -

At which said third Tuesday of November to wit the seventeenth day of the same month being the day of the return of
the said writ cometh the said And. Scott by his attorney aforesaid and the Sher. of Somerset County to whom the afore-
- - - - - said writ was directed Likewise cometh and maketh Return thereof to the Court as aforesaid vizt -

By virtue of the within writ to me directed I have attached as the Goods and Chattels of the within named
Hugh Scott to the value of Six pound, Eleven Shillings Curr. money and five hundred pounds of tobacco in the hands
of Robert Govan, and Likewise by Jacob Hindman and John Doe Houer and Lawfull men my Bailiwick I
have made known to the said Robert Govan that he be and appear at the time and place within contained to
show &c. John Lunnatt Sher

Whereupon the aforesaid Robert Govan furnishes as aforesaid altho solemnly called
cannot but makes default &c.

Thereupon the aforesaid Andrew Scott by his attorney aforesaid comes into Court and pray that upon
giving Security according to act of assembly in such case made and provided the aforesaid sum of Six pound Eleven
Shillings Currant money and five hundred pounds of tobacco as of the rights and credits of the said Hugh Scott so as
aforesaid attached in the hands of the said Robert Govan may be condemned to ward satisfying of the said
Andrew Scott the said Six pound, Eleven Shillings Curr. money five hundred pounds of tobacco his damages & Costs arising
upon the writ of attachment & thereupon a certain Henry Spear of Somerset County proved his Court undertakes
for the said Andrew Scott that in case the said Hugh Scott do at any time within a year and a day appear and
make