

June Court ----- 1733 ----- (13)

said Thomas Hayward in his own proper person and the Sheriff of Somerset County to witt, Joshua Caldwell Esq. at the same day returned that by virtue of the Writ aforesaid to him directed he had attached as the goods and Chattels of the said Jacobus Arabia sundry Joyner Tools to the value of four hundred and eighty nine pounds of tobacco. as by the said precept he was Comanded to --

Whereupon the said Thomas Hayward prays that upon giving security according to act of assembly in such case provided the said Several Joyner Tools of the value of four hundred and eighty nine pounds of tobacco, as aforesaid attached as of the goods and Chattels of the said Jacobus Arabia may be condemned -- towards Satisfying unto him his damages and all Costs and Charges accruing by means of the attachment afo --

Thereupon a certain Robert Jenckins Esq. of Somerset County Gentleman present here in Court undertakes for the said Thomas Hayward according to act of assembly that if in case the said Jacobus Arabia do at any time within a year and a day appear and make all or any part of the said Thomas Hayward's Claim against him to be Satisfied or otherwise to be made undue before the Laying of the attachment afo that then he the said Thomas Hayward shall make Restitution unto him the said Jacobus Arabia of all or such part thereof as shall be so made appear to be undue as afo or that he the said Robert Jenckins Esq. will do it for him to --

Therefore it is considered by the Court here that the Several Joyner Tools so as aforesaid attached of the value of four hundred and eighty nine pounds of tobacco, be condemned as of the goods and Chattels of the said Jacobus Arabia towards Satisfying unto the said Thomas Hayward his damages and all Costs and Charges accruing upon the writ of attachment afo and that the said Thomas Hayward have thereof Restitution to --

By William Kitchener.
Thomas Gray -----
Dorman Heath bail of.
Patrick Burke -----

This Lordship the Right Honble the Lord Proprietary of the province of Maryland Comanded the Just. of Somerset County by his writt in these words following vid - Somerset 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 whereas a certain Dorman Heath of Somerset County planter ^{late} in our County Court of Somerset here to witt, the twenty first day of March and Dow: Gra thousand and Seven hundred and thirty One before Samuel Hopstons Esq. and his associates then our Justices of the same Court at dwelling Creek in the County afo appeared upon himselfe and did undertake for a certain Patrick Burke late of Somerset County Saddler that in case William Kitchener and Thomas Gray, should recover Judgment against Patrick Burke in a certain plea of trespass upon the case by the same William and Thomas against the same Patrick in the same Court prosecuted or that the same Patrick should be throni Con with that then the said Patrick all the damages Costs and Charges which to the same William and Thomas in our same Court here in the afo plea of trespass upon the case that should be adjudged should pay and Satisfie or his body in lieu of such Judgment. to the Just. of