

show other matter in discount or in bar of the claim. The attachment might issue only for the amount of the debt and costs, and assets in the hands of a garnishee could, naturally, be attached only to the limit of the amount held. In the first case in this record an attachment was held invalid because it had issued for an amount greater than that of the debt. The statute allowed exemptions of goods necessary for a livelihood and the like. By an act of 1692,¹ a garnishee was given a right to appear and defend the action, showing any reason why the goods should not be attached. Assets in an attaching creditor's own hands might be attached, by virtue of a provision in the act of 1683 as well as later acts; and the case of *Prideaux v. Contee* was an instance of such an attachment laid in the creditor's own hands.

V. CHANCERY APPEALS

Edward and Dudley Charlton v. Nicholas Sporne. Bill of review, and appeal under the act of 1694. The record is not inserted, and no papers are found copied into the chancery court records. An appeal to the King in Council was noted but apparently not prosecuted.

Charles Carroll v. Thomas Wells. On a bill to enjoin enforcement of a judgment in ejectment in the provincial court. This appeal, too, was one permitted under the act of 1694. It was dismissed because of Carroll's failure to file reasons for appealing, or assignments of error.

Thomas Bordley v. John Gresham. Bill to enjoin enforcement of judgment at law on a sheriff's bond and supplemental bill,—the first full appeal in a chancery case, under the act of 1718.

John Ward v. Nathaniel Hynson, Prochain ami of Nathaniel Hynson. Bill to enjoin prosecution of a suit in ejectment because of fraud and misrepresentations in the procuring of a patent.

*Levin and Thomas Hicks, Devises of Thomas Hicks, deceased v. Philemon Lecompt and Mary, his wife, daughter and heir to William Seward, deceased, son and heir of George Seward.*² Bill to vacate a patent of land fraudulently obtained.

Alexander Adams v. John Caldwell. Bill by judgment creditor to set aside a fraudulent conveyance.

VI. COVENANT

Gerrard Slye v. Benjamin Hall and Mary, his wife, Executrix of James Bowling. Upon a sealed covenant to deliver a crop of tobacco.

*Daniel Bryon v. Pryor Smallwood.*³ On a covenant of warranty in a deed.

VII. CRIMINAL CASES, INCLUDING CASES UPON INFORMATION UNDER STATUTES

Edward Randolph, Surveyor General of the Customs in North America v. John Blackmore and Ship Ann. Criminal information for violation of the Restoration Navigation Act,⁴ in shipping tobacco without having given bond to carry it to some other English plantations or to England, Ireland, Wales, or town of Berwick upon Tweed. Bond given but not signed by the principal.

¹ Ch. 62, *Archives*, XIII, 522. Later acts, before 1730, were: 1704, ch. 14, *ibid.*, XXVI, 220; 1715, ch. 40, *ibid.*, XXX, 236; 1729, ch. 8, *ibid.*, XXXVI, 460.

² Reported 1 Harris & McHenry, 22.

³ Reported 4 Harris & McHenry, 483.

⁴ Stat. 12 Charles II, ch. 18.