a Copy of which aforegoing Declaration was made and sent with the writ
in the plea aforesaid
At which said Second Tuesday of September to wit the fourteenth day of
the same month Anno Domini 1762 being the day of the return of the afore-
going writ Come the said Hennietta Maria Dulany by her Attorney afore said
and the Sheriff of Ann Arundel County to whom the same writ was Directed
also Comes and makes return thereof to the Court here that he Indorsed to wit
Cepi Copy Served in time Thursday John Shor
But the said Sheriff altho solemnly called to bring into Court the Body of the
said James Chalmers according to the return of the writ aforesaid brings him
not in but makes Default, Therefore it is Considered that the said Sheriff
be amerced the Debt and Costs of Suit unless he have the Body of the said James
Chalmers here next Court to answer the plea aforesaid
At which said next Court to wit the twelfth day of April Anno Domini 1763
Comes again the said Hennietta Maria Dulany by her Attorney aforesaid
and the Sheriff of Ann Arundel County being again solemnly called to bring
into Court the Body of the said James Chalmers according to the return of
the writ aforesaid Brings him in Thereupon it is ordered by the Court that
the Amercement aforesaid be Struck Off
And the said James Chalmers being called upon appears Thereupon at the prayer
of the Plaintiff by her Attorney aforesaid he the said James Chalmers is adjudged
to give Special Bail to the Action aforesaid Whereupon a certain Henry Hafaway
of Ann Arundel County Innholder present herein Court Undertakes for the
said James Chalmers that in Case the said Hennietta Maria Dulany shall
recover Judgment against the said James Chalmers in the Plea aforesaid
that he the said James Chalmers shall be therein Legally Convict, that
then the said James Chalmers shall pay the Condemnation of the Court
Thereupon orrendor himself to the Custody of the Sheriff of Ann Arundel County
in Satisfaction thereof that he the said Henry Hafaway will do the same for him
And the aforesaid James by John Hall his Attorney Comes and Defends the force
and Injury when and set forth and prays an hearing of the writing Obligatory
aforesaid and he hath it as follows to wit Know all men by these presents that
We Henry Hafaway of Ann Arundel County Innholder & James Chalmers of Q.
same Co. Silver Smith are held and firmly Bound unto Edw. Dorsey of
Annapolis in the full and Just Sum of Five hundred and forty two pounds
Eighteen Shillings Current money to be paid to the said Edw. Dorsey his Certain
Attorney Executors Administrators or Assigns To the which Payment well and
truly to be made and done we Bind our Selves our heirs Executors and Admini-
strators Jointly and Severally firmly by these presents Sealed with our Seals
and Dated the first day of Sept.r Anno Domini 1759, He also prays an hearing
of the Condition of the writing Obligatory aforesaid and he hath it as follows
to wit

(The)

The Condition of the above Obligation is such that if the above bound Henry
Hafaway his Executors administrators do and shall well and truly pay or cause
to be paid unto the said Edw.d Dorsey his Certain Attorney Executors, Administrators
or Assigns the just Sum of Seventy one pounds Eight Shillings Current money with
Legal Interest for the same at or upon the first day of December next ensuing
the Date hereof then the above Obligation to be void else to be and remain in full
force and virtue in Law
Which being read and heard the said James Chalmers by his Attorney aforesaid
prays leave to Imparle hereunto untill next Court and he hath it and the
same Day is Given to the Plaintiff also
At which said next Court to wit the thirteenth day of September Anno Domini 1763
Come again the said Parties Plaintiff and Defendant by their Attorneys afore-
said and the said Defendant by his said Attorney prays further leave to Imparle
hereunto untill next Court and he hath it and the same day is given to the
Plaintiff also
At which said next Court to wit the tenth day of April Anno Domini 1764 Come
again the said Parties Plaintiff and Defendant by their Attorneys aforesaid and
the said Defendant by his said Attorney prays further leave to Imparle here-
unto untill next Court and he hath it and the same day is Given to the Plaintiff
also At which said next Court to wit the Eleventh day of September
Anno Domini 1764 Comes here again as well the said Hennietta Maria Dulany
Administratrix as aforesaid as the said James Chalmers by his Attorney aforesaid
and the aff.d James by his Attorney aforesaid (as before) Defends the force and Injury
when and set forth and saith that he with the Deed aff.d by virtue of the recited
Obligatory aforesaid to the Plaintiff ought not because he saith that that
Writing is not his Deed and of this he puts himself upon the Country &c. and
the aforesaid Hennietta Maria Dulany in like manner &c.
And the aff.d James by Leave of the Court here and according to the form of the Statute
in such Case late made and provided Comes and further Defends the force and
Injury when &c. and saith that the aff.d Hennietta Maria Dulany the Action aff.d
against him the said James to have or maintain ought not because he saith that
he hath paid the aff.d Sum of Money in the Condition of the writing Obligatory aff.d above
mentioned and this he is ready to verify &c. Wherefore he prays Judgment if the said
Hennietta Maria her Action aff.d thereof against him to have or maintain ought &c.
And the aforesaid Hennietta Maria as to the Second Plea of him the said James
saith that she by any thing by the aforesaid James pleaded from having and
maintaining her Action aforesaid to be precluded ought because she saith that
the aforesaid James hath not paid the aforesaid Sum of Money in the Condition
aforesaid above specified as the aforesaid James above in pleading hath alledged
and this she prays may be Enquired of by the Country and set forth and the aforesaid
James in like manner and set forth

(Nevertheless)