and truly to be made to the said State they bound themselves and every of their Heirs Executors and administrators jointly and severally with Condition there under written, that if the said Francis Hamersley his heirs Executors or administrators do and shall well and faithfully execute and perform the several duties required of him as Collector of the fund Tax of Saint Mary's County for the year seventeen hundred and ninety one and shall make payment of the whole sum of Money that may be due for the said Tax in the following manner to wit. one hundred pounds in specie on or before the first day of October then next, two hundred pounds on the first day of January seventeen hundred and ninety three, and the balance that may be then due on the first day of May seventeen hundred and ninety three, with legal Interest from each respective day of payment in Case of failure then the said Obligation to be void else to remain in full force and virtue in Law, as by the said Writing Obligatory of record remaining in the General Court here Manifestly appears which said sum of two Thousand pounds Current Money now the several sums which the said Francis Hamersley ought to have received and is Answerable for in Virtue of an Act of Assembly for that purpose made and provided, he the said Francis Hamersley nor the said Josiah Parker Grindall and Henry Neale, have not nor hath either of them yet paid or caused to be paid as it is said And Whereas William Marbury Esquire the agent of the said State in pursuance of an Act of Assembly of the State aforesaid did order our Clerk of our General Court to furnish him with a Copy of the same Bond, and to file it among the records of the same Court and he by virtue of the power given him by Law, ordered our said Clerk to issue process thereon in the nature of a Scire facias, Therefore we Command you that by good and lawfull Men of your bailiwick you make known unto the said Henry Neale that he be and appear before the Judges of our General Court to be held at the City of Annapolis on the second Tuesday of May next to shew cause if any for himself, he hath or knoweth to say why execution should not issue on the Writing Obligatory aforesaid according to the directions of the Act of Assembly aforesaid if to him it shall seem meet and have you then and there the names of those before you shall make the same known and this Writ. Witness the honourable Robert Goldsborough Esquire chief Judge of our said Court the 29th day of January Anno Domini 1798.

Issued the 17th day of April 1798. L. M. John Gwinn Clk.

At which said second Tuesday of May being the eighth day of the same month in the year of our Lord one thousand seven hundred and ninety eight. And the day of the return of the last aforegoing writ comes into the General Court here, the said State of Maryland by its attorney

(aforesaid)

aforesaid, and the Sheriff of Saint Mary's County to whom the said last aforegoing Writ in from aforesaid was directed, likewise comes and makes return thereof to the Court here thus endorsed to wit.

Made known in presence of John Mill & Jo Wimsatt Zach. Forrest Shff

And the said Henry Neale by Walter Dorsey his attorney appears in Court here: And Thereupon on motion of the State of Maryland by its attorney aforesaid it is ruled by the court here that the said Henry Neale answer to the Scire facias aforesaid of the State of Maryland in the plea aforesaid or Judgment by the Court here will be rendered against him in default hereof and the said Henry Neale by his attorney aforesaid defends the force and injury when and so forth, and prays leave of the Court here to imparle until the second Tuesday of October next and then to answer to the Scire facias aforesaid of the said State of Maryland in the plea aforesaid, and to him it is granted the same day is given to the said State of Maryland also.

At which said second Tuesday of October being the ninth day of the same month in the year of our Lord one thousand seven hundred and ninety eight, to which said day the said Henry Neale had leave to imparle and then to answer, come again into the General Court here as well the said State of Maryland by its attorney aforesaid, as the said Henry Neale by its attorney aforesaid, and the said Henry Neale by his attorney aforesaid (as before) defends the force and injury when and so forth and says that the said State of Maryland ought not to have its execution against him for the said sum of two Thousand pounds current money in the Writ of Scire facias aforesaid mentioned by virtue of the writing Obligatory aforesaid because he says that there is no such record of the Writing Obligatory aforesaid in the Writ of Scire facias aforesaid mentioned, as the said State of Maryland hath alledged and this he is ready to verify. wherefore he prays Judgment if the said State of Maryland ought to have execution for the said sum of Two Thousand pounds current Money by Virtue of the Writing Obligatory aforesaid and so forth. And the said Henry Neale with the leave of the Court for this purpose had and obtained According to the form of the Statute in such case made and provided further says that the said State of Maryland ought not to have its execution against him for the said Sum of Two Thousand pounds in the Writ of Scire facias aforesaid mentioned because he says that after the Making of the writing Obligatory aforesaid in the Writ of Scire facias aforesaid Mentioned, and before the issuing of the said Writ of Scire facias on the eighteenth day of April in the year of our Lord one thousand seven hundred and ninety eight he the said Henry Neale paid to the said State of Maryland the said sum of two Thousand pounds current Money in satisfaction and

(discharge)