sustained, as well by occasion of the detention of that Debt, as for her Costs and Charges by her about her Suit in this behalf laid out and expended, adjudged unto the said Rebecca Dulany by the Court here with her assent; and the said Peter Chaille in mercy &c. Test. James Cole Sum. Clerk.

Memorandum, Judgment was confessed in this action on the 12th day of April 1798. for Penalty and Costs. To be released on payment of the principal, Interest, and Costs. Payments if any to be allowed. Stay of Execution until September Term 1799.

Rebecca Dulany Extrix of Daniel Dulany against William Chaille

Be it remembered that on the seventeenth day of March in the year of our Lord one thousand seven hundred and ninety eight Command was given to the Sheriff of Worcester County, to take William Chaille late of Worcester County Gentleman if he should be found in his Bailiwick and safe keep, so that he might have his Body before the Judges of our General Court, to be held at Easton in Talbot County, on the second Tuesday of April next, to answer unto Rebecca Dulany Executrix of the last will and Testament of Daniel Dulany lately deceased, of a plea that he render unto her the sum of eight hundred and fifty seven pounds and fifteen shillings Current money of Maryland, which from her he unjustly detains and so forth. And that thereof let the said Sheriff should not fail at his peril, and should have then and there that Writ &c. And now here at this day, to wit the second Tuesday of April in the year of our Lord one thousand seven hundred and ninety eight, being the day for the return of the aforegoing Writ, comes into Court here the said William Chaille by Rebecca Dulany Executrix as aforesaid by Nicholas Hammond Esquire her attorney, and the Sheriff of Worcester County to whom the said Writ was in form aforesaid directed makes no return thereof to the Court here hath he done any thing therein. Nevertheless the said William Chaille voluntarily appears in Court here by William Whittington Esquire his Attorney; Whereupon the said Rebecca Dulany by her Attorney aforesaid declares against the said William Chaille in the plea aforesaid in manner and form following, to wit.

The Eastern Shore of Maryland, Worcester County, to wit, William Chaille late of Worcester County Gentleman, was summoned to answer unto Rebecca Dulany Executrix of the last will and Testament of Daniel Dulany lately deceased, of a plea that he render unto her the sum of eight hundred and fifty seven pounds and fifteen shillings Current money of Maryland which from her he unjustly detains &c. And whereupon the same Rebecca Dulany by Nicholas Hammond her Attorney saith, that whereas the said William Chaille on the twenty second day of April in the year seventeen hundred and ninety four, at the County aforesaid, by his certain writing Obligatory, which sealed

with the Seal of the said William Chaille, the said Rebecca Dulany here into Court brings the date whereof is the same day and year aforesaid acknowledged himself to be held and firmly bound unto the said Daniel Dulany in his lifetime in the sum of eight hundred and fifty seven pounds and fifteen shillings Current money of Maryland to be paid to the said Daniel Dulany his Executors, Administrators or Assigns, when he the said William Chaille should be thereto afterwards required. The payment whereof well and truly to be made and done, the said William Chaille did bind himself firmly by the same writing. Nevertheless the said William Chaille although often thereto required the sum of money aforesaid or any part thereof to the said Daniel Dulany in his lifetime, or to the said Rebecca Dulany, after the death of the said Daniel Dulany hath not paid, but the same to the said Daniel Dulany in his lifetime, and to the said Rebecca Dulany after the death of the said Daniel Dulany to pay, the said William Chaille hath hitherto altogether refused, and the same to the said Rebecca Dulany to pay doth still refuse and the same doth unjustly detain, to the Damage of the said Rebecca Dulany in the sum of one thousand pounds Current money; And therefore she brings this suit &c. And she brings here into Court the Letters Testamentary of the said Daniel Dulany, by which it sufficiently appears to the Court here that the said Rebecca Dulany is the Executrix of the last will and Testament of the said Daniel Dulany, and thereof to have Administration ought &c.

Mr. Hammond for Plff. The Def. Richard Roe, pleads &c.

The writing Obligatory whereof mention is made in the Declaration aforesaid follows, to wit. — Maryland, Worcester County ss. Know all men by these presents that we Peter Chaille, and William Chaille both of Worcester County, and Ebenezer Handy of Somt. County are held and firmly bound unto Daniel Dulany Esq. of Baltimore Town in the sum of eight hundred and fifty seven pounds fifteen Shillings, Specie, or Current money of Maryland, to be paid to the said Daniel Dulany his Heirs, Exors. Admors. or Assigns, to which payment well and faithfully to be made and done, we and each of us, jointly, severally, and firmly by these presents. Sealed with our Seals and dated this 22nd day of April anno Domini 1794.

The Condition of the above Obligation is such that if the above bounden Peter Chaille do and shall pay or cause to be paid unto the said Daniel Dulany Esq. four hundred and twenty eight pounds seventeen shillings and six pence Specie, or Current money aforesaid with legal Interest thereon. That then the above Obligation to be void, else to be and remain in full force, power, and virtue in Law. In Testimony whereof we have hereto set our hands and fixed our Seals the day and year aforesaid.

Signed Sealed & Delivered in the presence of Ebenezer Handy, James Handy.

Peter Chaille (Seal)
William Chaille (Seal)
Ebenezer Handy (Seal)

And the said William Chaille by his Attorney aforesaid defends the force and injury when &c. and says, that he cannot gainsay the action aforesaid of the said Rebecca Dulany so as aforesaid against him brought nor can he deny but that he unjustly