Judgments

Nevertheless, the same Edward Chetham (although thereto often required) the aforesaid sum of money, or any part thereof to render or pay, hitherto altogether hath refused, and still doth refuse, to the Damage of the same John Erskine two hundred pounds Current money of Mary-land, and thereupon, he brings this suit &c — Thos. O. Martin for Plff. Pledges &c — John Doe, and Richard Roe — And now here, at this day, towit, the third Monday of May, in the year seventeen hundred and ninety six, comes the plaintiff by his attorney aforesaid, towit, Thomas O. Martin, and the Sheriff of Queen Anns County being called, makes return of the afore-said Writ, in these words, towit — "Cepi, Phil. C. Blake Shff. of Q. Anns County." — Whereupon, at the prayer of the plaintiff by his attorney aforesaid, bail being ruled, James Clayland Junior of Queen Anns County, comes into Court in his proper person, and undertakes and becomes pleadge and bail for the said Edward Chetham, that if it shall happen that the said Edward Chetham at the suit of the said John Erskine in the plea aforesaid shall be convicted, then the said James Clayland Junior doth grant as well the Debt aforesaid, as all such Damages, Costs and Charges which to the aforesaid John Erskine in that part shall be adjudged, of his Lands and Chattels to be made, and to, and for the use of the said John Erskine to be levied, if the said Edward Chetham the Debt, and Damages, Costs and Charges aforesaid to the same John shall not pay, or himself to the prison and Custody of the Sheriff of Queen Anns County aforesaid, on this occasion render — Whereupon, the Defendant, by Robert Wright his attorney prays leave to imparle hereunto, until the next Court, and he hath it, and the same day is also given unto the Plaintiff, and he hath it &c — At which same day, towit, the second Monday of November in the year seventeen hundred and ninety six, came again the parties by their Attornies aforesaid, and the Defendant by his Attorney prays leave further to imparle hereunto, until the next Court, and he hath it, and the same day is likewise given to the Plaintiff, who also hath it &c — At which same day, towit, the first Monday of May in the year seventeen hundred and ninety seven, came again the parties by their Attornies aforesaid, when the Defendant by his Attorney aforesaid produces here into Court the State's writ of Habeas Corpus, which he prays may be allowed, and a Record transmitted agreeably to the Command thereof, which the Court here present after due consideration do allow, and order up the Record of proceedings accordingly, and which said writ of Habeas Corpus was closed in these words following towit — The State of Maryland &c, To the Justices of Queen Anns County Court, and to the Sheriff of Queen Anns County, greeting: Whereas a certain Edward Chetham is detained in the prison of your said County, under the Custody of you our said Sheriff (Seal of the Eastern Shore General Court) at the suit of a certain John Erskine of a plea of Debt, which said plea, as it is said, is depend-ing before you, our said Justices undetermined; and we being willing for divers causes that the plea aforesaid undetermined as aforesaid should be heard and determined before the Judges of our General Court — Therefore we Command you, that you have the body of the said Edward Chetham, by whatsoever name, or names he may be called, in the plea aforesaid, together with the cause of his caption and detention, and all things thereunto relating before the Judges of our General Court, to be held for the Eastern Shore of this State, in Talbot County, at the Court House

in the same County, the second Tuesday of September next, that our said Judges of our said General Court may further proceed therein as to justice appertains, and so forth — Hereof fail not at your peril, and have you then and this writ — Witness the Honorable Robert Goldsborough Esquire Chief Judge of our said Court, this 11th day of April anno Dominii 1797 — Issued the 10th day of May anno Dominii 1797 — Test, James Earle Junr. Clerk — Queen Anns County, towit — I do hereby certify that the aforegoing is a true Copy from the Record of proceedings of Queen Anns County Court — In Testimony, whereof I have hereto set my hand and affixed the Seal of my Office this 8th day of September anno Dominii 1797 — Jams. Wright Clerk of Queen Anns County Court —

Thereupon, appeared in our General Court as well the said John Erskine by Thomas Oldham Martin and Thomas James Bullitt Esquires, his Attornies, as the said Edward Chetham by Robert Wright Esquire his Attorney; And the said Edward Chetham by his Attorney aforesaid defended the force and injury when &c, and prayed leave of the Court to imparle until the next Term, and he had it — The same day was given to the said John Erskine, there &c — At which said next Term, towit, the second Tuesday of April in the year of our Lord one thousand seven hundred and ninety eight, came again into Court the parties aforesaid by their attornies aforesaid: Whereupon, it was ruled by the Court at the prayer of the said John Erskine by his Attorney aforesaid, that the said Edward Chetham answer to the Declaration aforesaid of him the said John Erskine, in the plea aforesaid — And the said Edward Chetham by his attorney aforesaid further defends the force and injury when &c, and prayed leave of the Court to imparle until the next Term, and he had it — The same day was given to the said John Erskine, there &c — And now here, at this day, towit, the second Tuesday of September in the year of our Lord one thou-sand seven hundred and ninety eight, comes again into Court the parties aforesaid by their attornies aforesaid — And the said Edward Chetham by his Attorney aforesaid further defends the force and injury when &c, and prays a hearing of the writing Obligatory in the Declaration aforesaid mentioned, and also the Condition thereof, and they are read to him in the words following, towit —

Know all men by these presents that I James Clayland of the Town of Augusta and State of Georgia, and Edward Chetham of Queen Anns County and State of Maryland, are held and firmly bound unto John Erskine, Assignee of Gray, Blair, and Co. of Talbot County and State of Mary-land, in the penal sum of one hundred and eleven pound fourteen shillings and ten pence current money of the State of Maryland, to be paid to the said John Erskine, his certain Attorney, Heirs, Executors, Administrators and Assigns; To the which payment, well and truly to be made and done, we bind ourselves, our Heirs, Executors, and Administrators firmly by these presents. Sealed with our seals and dated this twenty fifth day of August one thousand seven hundred and ninety three — The Condition of this Obligation is such, that if the above bound James Clayland and Edward Chetham or either of them, or either of their Heirs, Executors or Adminis-trator, shall, and do, well and truly pay, or cause to be paid unto the above named John Erskine, his certain Attorney Heirs or Assigns, the full and just sum of fifty eight pounds, seven shilling and five pence Current money as above, on or before the twentieth day of August next ensuing the date hereof — Then the above Obligation to be void, and of none effect, other-wise, to bear Legal Interest from, and after the aforesaid twentieth day of August which