who appears also here in Court by Robert Smith his Attorney. And thereupon the aforesaid William Young by his Attorney aforesaid Declares against the aforesaid John O Donnell in that plea, as follows, to wit. State of Maryland. Baltimore County, sc. John O Donnell late of Baltimore County Gentleman otherwise called John O Donnell Esquire was summoned to answer unto William Young of a plea that he render unto him the full and just sum of Twenty four thousand one hundred and sixty six pounds lawful Money of Great Britain of the value of Forty thousand two hundred and seventy six pounds thirteen shillings and four pence current money which from the said Young he unjustly detains and so forth. And whereupon the said William Young by William Cooke his Attorney, saith that whereas the aforesaid John O Donnell on the twenty eighth day of February in the year one thousand seven hundred and eighty seven at Baltimore County aforesaid, by his certain writing obligatory acknowledged himself to be held and firmly bound unto him the aforesaid William Young in the aforesaid sum of Twenty four thousand one hundred and sixty six pounds lawful Money of Great Britain to be paid to him the said William Young when afterwards he should be thereunto required. And the said William Young in fact saith the said sum of lawful Money of Great Britain at the time of making the said writing obligatory was always since hath been and now is of the value of the said sum of Forty thousand two hundred and seventy six pounds thirteen shillings and four pence current Money Nevertheless the aforesaid John O Donnell (although often thereunto required) the aforesaid sum of Lawful Money of Great Britain or the value thereof as aforesaid to him the said William Young hath not rendered or paid, but the same sum of lawful Money of Great Britain or the value thereof to him hitherto to render or pay he hath refused and still doth refuse, wherefore the said William Young saith he is the worse and hath damage to the value of Twenty thousand pounds current Money, and therefore he brings Suit, and so forth. And brings here into Court the writing obligatory aforesaid Sealed with the Seal of the aforesaid John O Donnell which the debt aforesaid, in form aforesaid, Witnesseth. the date whereof is the day and year aforesaid. and so forth.

William Cooke for the Plaintiff. Pledges and so forth. John Doe, and Richard Roe.

And the aforesaid John O Donnell by Robert Smith his Attorney aforesaid comes and defends the force and injury, when and so forth, and prays an hearing of the writing obligatory aforesaid and the Condition thereof and he hath them in the words following. to wit.

Know all men by these presents that I John O Donnell Esquire at present in London and now about to depart on a Voyage to the East Indies am held and firmly bound to William Young of London Esquire in the penal Sum of Twenty four thousand one hundred and sixty six pounds of good and lawful Money of Great Britain to be paid to the said William Young his certain Attorney Executors Administrators or Assigns

For which payment to be well and faithfully made I bind myself my Heirs Executors and Administrators and every of them firmly by these presents Sealed with my Seal dated this twenty eighth day of February in the Twenty seventh year of the Reign of our Sovereign Lord George the Third by the Grace of God of Great Britain France and Ireland King Defender of the Faith and so forth And in the year of our Lord one thousand seven hundred and eighty seven.

Whereas on the first day of January now last past the said John O Donnell was and stood indebted unto the said William Young in the sum of Twelve thousand and eighty three pounds of lawful Money of Great Britain. Now the condition of the above obligation is such that if at or before the end or expiration of Twenty six Calender Months from the day of the date of the above bounden John O Donnell his Heirs Executors or Administrators or some of them shall and do well and truly pay or cause to be paid unto the said William Young his Executors Administrators or Assigns or to such person or persons as he or they shall or may by Indorsement hereon under his or their Hand or Hands order direct and appoint the full and just sum of Twelve thousand and eighty three pounds of lawful Money of Great Britain together with Interest thereon from the said first day of January last past at and after the Rate of five pounds for the hundred pounds by the year at or in the City of Baltimore in the State of Maryland in North America or if the said John O Donnell his Heirs Executors or Administrators shall and do at or before the end or expiration of Twenty nine Calender Months from the day of the date of the above obligation well and truly pay or cause to be paid unto the said William Young his Executors Administrators or Assigns at the House of Sir Charles Raymond Baronet and Company Bankers in London the said sum of Twelve thousand and eighty three pounds together with Interest thereon from the said first day of January last past at the rate aforesaid at the Option and Choice of the said William Young his Executors Administrators or Assigns and as he or they shall or may require direct and appoint then the above obligation to be null and void otherwise to be and remain in full force and virtue And the said John O Donnell having granted two Bonds of this Tenor and date upon one of which being satisfied it is agreed that the other shall be of none effect.

Sealed and delivered (being first duly Stamped) in the presence of William Dunbar Not. Pub. London. William Duff, Not. Pub. John O Donnell [Seal]

Which being read and heard, the said John O Donnell saith that the aforesaid William Young his action aforesaid against him to have or maintain ought not &c. because he saith that he the said John O Donnell did pay unto the aforesaid William Young the said sum of money in the Condition of the said Writing obligatory mentioned with legal Interest thereon according to the form and effect of the Condition of the said Writing obligatory and this he is ready to verify wherefore he prays Judgment if the aforesaid William Young his action aforesaid against him to have or maintain ought &c.