Wherupon the said John Attkey by Jacob Regnier his Attorney comes & defends the force & injury when & where &c and prays leave to imparle to the next Court which is granted him the same day is given to the Plaintiff &c.

At which said next Court to wit the twenty eighth day of September Anno Dñi 1708 Comes as well the said John Bramnock by John Holloway his Attorney and prays Execution ag^t the said John Attkey of his debt & Costs aforesaid that he may have same & thereupon the said Jacob Regnier Attorney for y^e said Attkey saith that there is not information by him sufficient to say the same & thereupon the said Jacob Regnier Attorney for y^e said Attkey saith that there is not information by his sufficient of any thing whereby he is able to plead in Bar or Sufficient to stay Execution upon the Judgm^t aforesaid that the said John Bramnock remains against the said John Attkey altogether undefended Whereupon it is considered by the Justices here the day & year first mentioned that the said John Bramnock have Execution against the said John Attkey as well for the Sume of fifteen pounds seven Shillings Sterling being the one third of Two hundred Twenty six pounds of Tob^o & Cask of Duty as the Sume of Two hundred twenty six pounds of Tob^o & Cask aforesaid Costs of Suit herein spent and the said John Attkey in mercy &c

William Ogilvie of Maryland & Nimian Beale late of Prince Georges County Gent defendants

Whereas William Ogilvie of Prince Georges County in the Province of Maryland Gent was Summoned to answer unto William Ogilvie of a plea that he render unto him the full & just Sume of two hundred forty pounds of good & lawfull money of England which he oweth him & unjustly detaines &c

And whereupon the said William Ogilvie by William Bond his Attorney saith that the said Nimian Beale the thirty first day of May in the yeare of our Lord 1701 at Prince Georges County aforesaid by his Certain writing Obligatory Sealed with his Seale acknowledged & him self to be bound unto the said William Ogilvie in the full & just Sume of two hundred & forty pounds of good & lawfull money of England aforesaid to be paid to the said William Ogilvie when he should be thereunto required As by the s^d payment

payment well & truely to be made the said Nimian Beale bound himself his heirs Exec^rs & Adm^rs & every of them firmly by the said writing Obligatory as by the said Nimian Beales Seale & Deed in Court here remaining of Record more fully appears And although often required the same to the said William Ogilvie hath not rendered but still refuseth to do and doth still deny to the damage of the said William Ogilvie of three hundred pounds Sterling and thereof he brings his Suite &c. Pledg de prosequend &c. John Doe & Richard Roe.

And the said Nimian Beale by William Bond his Attorney comes and defends the force & injury when & where &c and the said William prays the Declaration aforesaid read to him and the said Nimian demands Oyer of the Condition of the same bonding And it is read unto him in these words THE CONDITION of the above obligation is such that if the above bounden Nimian Beale his heires Exec^rs Adm^rs or Assigns shall make over a Tract of Land called Darnalls good title containing four hundred & fifty Acres joyning upon the said Ogilvie by a good & sufficient Conveyance with a generall warranty from the Claime of any person or persons whatsoever & that the said Land shall be clear from any former Survey or from any other Incumbrances whatsoever by the last day of June next & also procure a patent for the said Land out of the Land Office by the last day of October next ensuing the date hereof without fraud or further delay That then this Obligation to be void & of none effect otherwise to be in full force & power & vertue. — Which being read and heard the said Nimian Beale prays leave to imparle thereto unto next Court which is granted him the same day is given to the Pl^t also.

And now here at this day to wit the twenty eighth day of September Anno 1708 Comes the said William Ogilvie by his Attorney & prays that the said Nimian to the Declaration aforesaid may answer or Judgm^t may be given against the said Nimian by default & thereupon the said Nimian called Solemnly called comes not but makes default Whereupon the said William Ogilvie remains ag^t the said Nimian altogether undefended.

It is therefore considered by the Justices here this day & year first mentioned that the said William Ogilvie recover against the Nimian as well the Sume of two hundred & forty pounds Sterling money debt as the Sume of one hundred and fifty one Cri ——— pounds of Tob^o & Cask of Suit and the said Nimian in mercy &c

Thereupon the plaintiff by his Attorney aforesaid saith that he is willing to stay Execution till the third day of March next &c