And the said Bernard Oneill and William Deakins by their Attorney aforesaid as before defend the force and injury when and so forth and pray leave of the Court here to imparle hereunto until next Court and they hath it and the same day is given to the plaintiff also —

At which said next Court to wit the second tuesday of October being the fourteenth day of the same month, Anno Domini seventeen hundred and eighty eight come again into our General Court as well the said Daniel Bowley by his Attorney aforesaid as the said Bernard Oneill and William Deakins by their Attorney aforesaid.

And the said Bernard Oneill and William Deakins by their Attorney aforesaid as before defend the force and injury when and so forth, and saith that the said Daniel Bowley his action aforesaid against them to have or maintain ought not &c because they saith that they the said Bernard Oneill and William Deakins did pay unto the said Daniel Bowley the said ~~quantity~~ of Tobacco 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 they are ready to verify wherefore they pray Judgment if the said Daniel Bowley his action aforesaid against them to have or maintain ought &c.

And the said Daniel Bowley saith that he by any thing by the said Bernard Oneill and William Deakins Junior above in pleading alledged from having or maintaining his Action aforesaid against them ought not to be precluded because he saith that the aforesaid Bernard Oneill and William Deakins have not paid unto him the said Daniel Bowley the aforesaid quantity of Tobacco in the Condition aforesaid mentioned with the interest thereon in such manner and form as the said Bernard Oneill and William Deakins ~~will have~~ by pleading have alledged, and of this he prays may be enquired of by the Country and the said Bernard Oneill and William Deakins in like manner &c forth.

Therefore let a Jury thereupon appear before the Judges of our General Court hereon the second tuesday of May next from &c and who neither &c to recognize &c because as well &c the same day is given to the parties aforesaid then and there &c.

And now here at this day to wit the said second tuesday of May being the twelfth day of the same month Anno Domini seventeen hundred and eighty nine comes again here into our General Court as well the said Daniel Bowley by his Attorney aforesaid as the said Bernard Oneill and William Deakins by their Attorney aforesaid.

Nevertheless the aforesaid Bernard Oneill and William Deakins Junior by their Attorney aforesaid relinquishing the averment above by them pretended say that they cannot deny the Action aforesaid of the said Daniel Bowley so as aforesaid against them brought now but that they owe to the aforesaid Daniel Bowley the aforesaid quantity of twenty four thousand pounds of Crop Tobacco in manner and form aforesaid so as the aforesaid Daniel Bowley above against them hath declared.

Therefore it is considered by the Judges here that the said Daniel Bowley recover against the said Bernard Oneill and William Deakins Junior as well the quantity of twenty four thousand pounds of Crop Tobacco his debt aforesaid in ~~manner~~ aforesaid confessed as also the quantity of eight hundred and ten pounds of Tobacco by the Court here unto the said Daniel Bowley on his assent adjudged as well for his damages sustained by reason of the detention of that debt as for his costs and charges by him about his suit in this behalf laid out and expended and the said Defendants in mercy &c.

Memorandum.

Memorandum. Judgment was rendered in this cause on the fifteenth day of May Anno Domini seventeen hundred and eighty nine for penalty and costs of suit. To be released on the payment of the Principal Interest and costs, and the plaintiff agrees to stay execution until the first day of August next, payments if any to be allowed.

20/. 6d. Test. John Irwin Clk.

Bernard Oneill & William Deakins. against Edward Nicholls & Thomas Clarke.

Be it remembered that heretofore to wit on the fifteenth day of September Anno Domini seventeen hundred and eighty seven The Plaintiffs by Baker Johnson their Attorney sued out of our General Court here the State of Maryland a writ of Capias Ad=respondendum directed to the Sheriff of Prince Georges County in the words and figures following to wit

The State of Maryland ss. To the Sheriff of Prince Georges County Greeting, We command you that you take Edward Nicholls and Thomas Clarke late of Prince Georges County Gentlemen otherwise called Edward Nicholls of Prince Georges County Attorney at Law and Thomas Clarke Merchant of said County both of the State of Maryland if they shall be found in your Bailiwick, and them safe keep, so that you have their bodies before the Judges of our General Court, to be held at the City of Annapolis on the second tuesday of October next to answer unto Bernard Oneill and William Deakins Junior that they render unto them the just and full sum of four hundred pounds specie of the value of the like sum of current money of Maryland which from them they unjustly detain and so forth, here of fail not at your peril, and have you then and there this writ Witness Robert Hanson Harrison Esquire chief Judge of our said Court the 25th day of May Anno Domini 1787.

Issued the 15th day of September 1787. B. Johnson Thos. B. Hodgkin Clk.

At which said second tuesday of October being the ninth day of the same month Anno Domini seventeen hundred and eighty seven, and the day of the return of the aforegoing writ comes into our General Court the said Bernard Oneill and William Deakins by their Attorney aforesaid and the Sheriff of Prince Georges County to whom the aforegoing writ was made and directed likewise comes and makes return thereof to the Court here thus endorsed to wit

Cepi, Nicholls. N.E. Clarke. N. Blacklock Shff. P.G. County

And the said Edward Nicholls being called upon appears and at the prayer of the said Bernard Oneill and William Deakins by their Attorney aforesaid, the said Edward Nicholls and Thomas Clarke are adjudged to give special Bail to the Action aforesaid, whereupon the said Edward Nicholls and Thomas Clarke by Richard Potts their Attorney files in Court here the following Bail piece to wit

Bernard Oneill & William Deakins. Plaintiffs against. Edward Nicholls & Thomas Clarke. Defendants.

You John Addison and Michael Lowe do jointly and severally acknowledge yourselves special Bail for the said Edward Nicholls & Thomas Clarke at the suit of the said Bernard Oneill & William Deakins in an action of debt brought by the said Bernard Oneill & William Deakins against the said Edward Nicholls & Thomas Clarke in the General Court, they acknowledge themselves to be content therewith this 25th day of September 1787. Before David Crawford Rin.d Johnson.

To the Honourable the Judges of the General Court

Richard Potts Attorney for the Defendants.

And.