William Burke against Bernard Oneill

Be it remembered, that heretofore, to wit, on the twenty fourth day of February in the year of our Lord one thousand seven hundred and ninety two, the said William Burke by Philip Barton Key his attorney prosecuted and sued forth, out of the General Court here, the writ of the State of Maryland of Capias ad respondendum, directed to the Sheriff of Montgomery County, in the words and of the tenor following, to wit; The State of Maryland, &c. To the Sheriff of Montgomery County, Greeting. We command you that you take Bernard Oneill late of Montgomery County Planter if he shall be found in your bailiwick, and him safe keep, so that you have his body before the Judges of our General Court, to be held at the City of Annapolis on the second Tuesday of May next, to answer unto William Burke in a plea of Trespass on the Case and Soforth. Hereof fail not at your Peril, and have you then and there this writ. Witness the Honourable Samuel Chase Esquire, Chief Judge of our said Court, the 14th day of February Anno Domini 1792. Issued the 24th day of February 1792. (P.B.K.) Jno Gwinn, Clk.

At which said mentioned second Tuesday of May being the eighth day of the said month in the year of our Lord one thousand seven hundred and ninety two, and the day of the return of the aforegoing writ comes into the General Court here the said William Burke by his attorney aforesaid, and the Sheriff of Montgomery County aforesaid, to wit, Solomon Holland Gentleman, to whom the said aforegoing writ was in form aforesaid directed, makes return thereof to the Court here thus endorsed, to wit. — "Exp. Sol. Holland Sheriff." And the said Bernard Oneill being called appears in Court here by William Cooke his attorney, and thereupon, on motion of the said William Burke by his attorney aforesaid, it is ruled by the Court here, that the said Bernard Oneill give special bail in the Plea aforesaid; whereupon the said Bernard Oneill by his attorney aforesaid, files in Court here a certain bail piece and which being approved of by the Court here, is of the Tenor following, to wit. — William Burke Plaintiff vs Bernard Oneill Defendant. Now William Robertson and Joseph Simms do jointly and severally acknowledge yourselves special bail for the said Bernard Oneill at the suit of the said William Burke in an action on the Case brought by the said William Burke against the said Bernard Oneill in the General Court they acknowledge themselves to be content therewith this 28th day of April

April 1792. before. Geo. French
To the Honourable the Judges of the General Court. Chas. Macgruder
To William Cooke Esq. attorney for the Defendant.

And the said Bernard Oneill by his said Attorney, defends the force and injury, when, and Soforth, and prays leave of the Court here to imparle unto the second Tuesday of October next, and he hath it, the same day is given to the said William Burke then and Soforth.

At which said second Tuesday of October being the ninth day of the same month, in the year of our Lord one thousand seven hundred and ninety two, to which said day the said Bernard Oneill had leave to imparle, comes again into the General Court here, as well the said William Burke by his attorney aforesaid, as the said Bernard Oneill by his attorney aforesaid: And the said Bernard Oneill by his said attorney, as before, defends the force and injury, when and Soforth, and prays leave of the Court here further to imparle unto the second Tuesday of May next, and he hath it, the same day is given to the said William Burke then and Soforth —

And now at this day, to wit, the said second Tuesday of May being the fourteenth day of the said month in the year of our Lord one thousand seven hundred and ninety three, to which said day the said Bernard Oneill had leave to imparle, comes again into the General Court here, as well the said William Burke by his said attorney, as the said Bernard Oneill by his attorney aforesaid: and the said William Burke by his attorney aforesaid, declares against the said Bernard Oneill in the plea aforesaid as follows, that is to say, Western Shore General Court Montgomery County, To wit, Bernard Oneill late of Montgomery County Gentleman otherwise called Bernard O'Neale of said County was attached to answer William Burke of a plea of Trespass on the Case and Soforth and whereupon the said William by Philip Barton Key his attorney complains that whereas the aforesaid on the first day of January in the year of our Lord one thousand seven hundred and ninety at the County aforesaid was indebted unto him the said William in the sum of five hundred Pounds current money for the like sum of current money by him the aforesaid Bernard to the use of the said William before that time there had and received, and being so thereof indebted the aforesaid Bernard afterwards to wit the day and year aforesaid at the County aforesaid in consideration thereof upon himself assumed and to the said William then and there faithfully promised that he would well and truly pay and content the same when afterwards thereto requested. and whereas the aforesaid Bernard afterwards, to wit, the day and year aforesaid at the County