Maurice and the ass William after the deaths of the ass Maurice and Sarah
altho often required the ass Sume of twenty four Thousand two hundred
twenty pounds of Tobaco to the Said pltf they nor any of them have not paid
But that to hitherto to render or pay hath denyed and that the Said Deft
to the Said pltf to pay Yet doth deny and unjustly detain to the damage of him
the Said pltf Ninety three pounds Sterling money and thereupon he brings Suite
&c.

Mich Howard pro Quer pltf In Doe & Roe

and the ass pltf being not an Inhabitant of this County prays that Surety for Cost
may be put in which was granted after which Thomas Bourne of Said
County comes into Court and Acknowledges himself as Security for the ass pltf
and doth undertake the payment of the Deffts Cost if the sd Deft Shall ass pear to
the Same and the pltf Should be Cast in the Same

And the ass Deft by Thomas Bourne his attorney comes and defends the
force and injury &c And Saveing to himself all and all manner of advantages
and exceptions as well to the writ ass as to the Declaration of the ass pltf prays
Liberty thereof to imparle thereto and to answer at next Court which was
granted the Same day was given the pltf in like manner

At which Said next Court viz the nineteenth day of August the Same
year last mentioned the Same cause was Continued until the then next Court

At which Said next Court viz. the twenty first day of November the Same
year last mentioned came the ass pltf by his ass attly and the ass Deft by
his ass attly pleads as Sd viz. and the Deft by Thomas Bourne his
attorney comes and defends the force and injury when &c and Saith that the
ass pltf his action ass against him the Said Deft to have or maintaine
ought not because he Saith that he hath fully administred all the goods
& Chattells which were of the ass Davis the Intestate at the time of his death
& that he the Said Deft hath not goods nor Chattells which were of the ass
Intestate at the time of his death in his hands to be administred nor had the
Said Deft any goods or Chattels of the Said Intestate on the day of the Impetra-
tion of the original writ of the ass pltf writ of the ass pltf nor ever after and
this he is ready to verify wherefore he prays Judgment if the ass Deft his
action ass against him the Said Deft to have and maintain ought &c

Bourne Deft

And the ass Mathias Vanderhuyden for that the ass Wm Frisby by his plea
ass doth not deny but that the bond ass in the writ ass mentioned in the Declaration
of the ass Davis the Intestate was and but that the Deft ass in the ass Bond
Specified is a just and true debt as yet unpaid and not wholly Satisfied or Exonerated
and for that the ass Mathias Vanderhuyden cannot deny but that the Said
Deft Wm hath not nor at the day of the Impetration of the original writ
of the Same pltf nor ever after nor heretofore had nor had any of the goods or
Chattells which were of the ass Intestate at the time of his death in his hands to
be administred pray Judgment for his Debt ass by him above demanded of
the goods and Chattels which were of the ass Intestate at the time of his death
and which to the hands of y ass Wm hereafter Shall come to be administred

M: Howard att y Quer Pltfs