

March Court Anno Domini 1710

Vincent Ashin and these of have Administration. Whereupon for want of sufficient Declaration in this case the said Philip prays Judgment of the said Declaration and that the same may be Quashed as of forth. *These ff. D.*

And upon this the same Philip Prays that the said James and Ignatius may Joyn in Demurre with the same Philip and the said James and Ignatius to Joyn with the same Philip the like in the said Demurre in Law, and the said James and Ignatius at the same time being solemnly required, did not come, nor further prosecute their Declaration against the aforesaid Philip but make default. It is therefore Considered that the aforesaid James and Ignatius shall take nothing by their Declaration and that they and their Pleas of Prosecuting be in Waive &c.

And the aforesaid Philip thereupon go without day. And it is further Considered by the Court here that the aforesaid Philip do recover again of the said James and Ignatius the sum of Three Hundred & thirty four Pounds for his Costs and Charges by him sustained about his Defense aforesaid in this behalf a Judge to the same Philip by the Court here, according to the form of the Statute in the like Case thereupon made and Provided and the same Philip may have the Execution of the same.

Mr Ashins Executor Debt Case

vs Samuel Gardner Nonpross

Charles County vs Samuel Gardner late of Charles County Planter otherwise called James Gardner was summoned to answer unto James Mableton and Ignatius Gardner Executors of the last Testament and Will of Vincent Ashin late of Charles County Deceased of a part that he renders unto them the full and just sum of Six Thousand One Hundred and twenty eight Pounds of Tobacco which to them he owes and unjustly detains and so forth.

And Whereupon the same James and Ignatius Executors by Philip they by their attorney that put in as the said Samuel on the seven th day of November in the year of our Lord one thousand seven hundred and forty six at Charles County aforesaid in the Jurisdiction of this Court by his certain Writing obligatory sealed with the seal of him the said Samuel and now here shewn to the Court the date whereof is the same day and year obliged himself his Heirs Executors or assigns to pay to the said Vincent Ashin in his lifetime his Heirs Executors or assigns the full and just sum of Six Thousand One Hundred and twenty eight Pounds of Tobacco in Hogheads to contain eight Hundred each for Value received. Nevertheless the said Samuel altho often requested by the said Vincent in his lifetime and by the said James and Ignatius Executors since his death to the same James and Ignatius Executors of the Testament and last Will of the said Vincent by Walter Hanson Gentleman Deputy Commissary of the County aforesaid on the twenty second day of October in the year of our Lord one thousand seven hundred and forty five in due form of Law granted Letters of Administration the said sum of Six thousand one hundred and twenty eight Pounds or any part thereof to the said Vincent in his lifetime or to the said James and Ignatius Executors hath not Paid or in any sort Contented but the same to the said Vincent in his lifetime or to the said James and Ignatius since his Death to pay hath altogether Refused and still doth Refuse.