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March Court Anno Domini 1710

Tuesday in March afo. Comerswell the said James and Ignatius Esqrs. by their Attorneys afo. as the said Samuel by his attorney afo. and the said Samuel by his said attorney Comers and defends the force Injury Debts and Damages and whatsoever else he ought to defend them and where the Court will consider thereof, and the said Samuel prays Judgment of the Declaration of the said James and Ignatius Esqrs. as aforesaid because he saith that the Declaration and the Subject matter therein contained are insufficient in Law for them the said Executors to maintain their said Action against the said Samuel to which Declaration the said Samuel is under no necessity or in any wise bound by the Law of the Land to answer and this he is ready to satisfy and for Causes of delay in this Part according to the form of the Statute in such Cases made and Provided he shews to the Court these Causes following in that, that the said James and Ignatius Esqrs. have declared in a Plea of debt of six Thousand one Hundred and twenty Eight Pounds of Shillings which to them, the said Samuel owes and unjustly detains which they as Esqrs. ought not to have done but ought to have declared in a Plea of debt of six Thousand one Hundred and twenty Eight pounds of Shillings which from them as Esqrs. the said Samuel unjustly detains — Whereupon for Want of sufficient Declaration in this Case the said Samuel prays Judgment of the said Declaration, and that the same may be Quashed and set aside — *Phase*

And upon the same, Samuel prays that the said James and Ignatius Esqrs. may be in Default with the said Samuel, and the said James and Ignatius Esqrs. to be in Default with the said Samuel this Court in the said Default in Law, and the said James and Ignatius Esqrs. as aforesaid at the same day being solemnly required, did not come, nor further proceeded their Declaration afo. against the said Samuel but made default. It is therefore considered that the said James and Ignatius Esqrs. shall take nothing by their Declaration afo. and that they and their Pleaders of Prosecuting bein Money &c. And the said Samuel may thereupon go without day —

See in med

And it is further considered by the Court here, that the said Samuel do recover against the said James and Ignatius Esqrs. the sum of three Hundred Eighteen Pounds and one Quarter of a pound of Shillings for his Costs and Charges by them sustained about his Defence aforesaid, in this behalf adjudged to the said Samuel by the Court here, according to the form of the Statute in the like Case thereof made and Provided, and the said Samuel may have thereof Execution of &c.

Pray James Middleton Esq. Gardiner of the said Dan's 1974 Shillings.
Know Thomas Jameson... Nonproffs

Charles County sh. Thomas Jameson late of Charles County Planter was attached to answer unto James Middleton and Ignatius Gardiner of a Plea of Trespass upon the Case —
And Whereupon the said James and Ignatius by Philip Key their Attorney Complain that where as the said Thomas after the first day of May in the year of our Lord one Thousand Seven Hundred and five, to wit, the Twenty seventh day of January in the year of our Lord one Thousand Seven Hundred and forty five at Charles County afo. did make his certain Note in Writing called a Promissory Note with his proper Name and hand thereto subscribed bearing date the same day and year last mentioned and the said Note unto the said James and Ignatius at the City afo. said deliver by which said Note he the said Thomas obliged himself his Heirs Exrs. Com. to

(Pray)