

On which day came the said Defondt by Wm. Homfley their  
attorney and appeared to said Aclon and prayed that he be impared  
until the next Court which was granted the same day is given to  
the pett affoe

And now here at this day viz: the 25<sup>th</sup> day of August Anno Dom  
1691 came as well the said Pet by Richard Marklein his Attorney  
as affoe the said Defondt by Wm. Homfley their attorney and  
the sd Aclon standing for legal

Edward Swatnam pt  
Doct of Ct: Henry Coursey Doct } Went ff: Elisabeth and Thomas Coursey  
of the last Will and testament of Ct  
Henry Coursey late of Talbot County Deceased stands Attached  
Ans: now unto Edward Swatnam of a plea of Trospass upon the rap  
And whereupon the said Edward by Richard Marklein his Atty  
complains that whereas the sd Ct Henry Coursey the 20<sup>th</sup> day of  
November Anno Dom 1691 in sd County within the Jurisdiction of this  
Court stood justly indebted unto him the said Edward in the full and just  
sum of two thousand eight hundred and eighty pounds of good  
sound Merchantable Tobacco in cash by Aclon pt for Leavies fees &  
other goods sold and delivered to and for the use of him the said Henry  
by him the said Edward the particulars thereof are herein contained  
In consideration whereof the said Henry upon himself assumed and  
to the said Edward faithfully promised that he the said Henry the said  
sum of 2880 of Tobacco unto the sd Edward would well and truly  
pay when thereunto required Yet notwithstanding the sd Henry the said sum  
of 2880 of Tobacco according to his promise and Assumption a scrip in  
the life time of him the sd Henry unto the sd Edward he did not pay nor  
the sd Elisabeth and Thomas Doct as aforesaid in their capacities by right the debt  
of him the said Henry nor Neither of them in their severalities the sd sum  
of 2880 of Tobacco unto the said Edward they have not paid although  
often demanded but the same to pay they have denied and refused and  
will do so and refuse to the damage of him the said Edward 5000  
of Tobacco and thereupon he brings this suit

The Defondt Demurs in Law <sup>Marklein vs. pt. 401</sup> <sup>vs. Doct</sup> <sup>Re: Roe</sup>  
The Pet faith the Declaration is good Marklein which Demur  
being argued the Court over Ruled the said Demur  
The Defondt then pleads the Act of limitation which is allowed by  
this Court to be ruled and is 9 m: allowed for 20 years of a year