

his seals as his Art and doer delivered and here in Court broke what
 date in the day and year aforesaid did bind him self his Heires etc and
 Admit to pay or cause to be paid unto the said Eli: then Wife of the
 said John Henry Coursey then living the said sum of four hundred
 poundes of Tobacco qualified as aforesaid remonant in Chastor River
 aforesaid an or upon the 16th day of October next Ensuynge the date of
 the said bill Yet notwithstanding that James the Defendant of four
 hundred poundes of Tobacco according to the Ten: of the said bill
 unto the said Eli: nor to the said Henry in his life time did not
 pay nor to the said Eli: and Thomas in their Caparities since the death
 of the said Henry he hath not paid but the sum to pay he hath denied
 and refused and still doth deny and refuse to the damage of the said
 Plaintiff Effard the sum of Eight hundred poundes of Tobacco
 and thereupon they bring this suit and here in Court they bring their
 Letters Testamontary &c: Coursey of: pldg or Ref: In Doe

Smith: ad 1 - } And the Defendant: Demurr in Law Mark Camp Det.
 Et: Coursey }
 And the Pet: saith the Declaration is good Coursey of Pet:
 And the Defendant: for Demurror saith that their is variance +
 between the Pet: Declaration and the Obligation for that the
 obligation being made to Eli: Coursey onely the has power by
 law to sue for the same in his own private capacity which being
 by this Court duly considered Judgment is given that the said +
 Demurror is good in Law whereupon the said Defendant: moves
 this Court for a Non suit which accordingly is granted
 Therefore it is considered by this Court that the Defendant James
 Smith doo Recover from the said Pet: Eli: both and Thomas
 Coursey in their Caparities the sum of fifty poundes of
 Tobacco for their false Claim as also the sum of One hund:
 red Leavony and four poundes of Tobacco cost of suit

Simon Wilmerly etc

Commence was given to the Sheriff of Kent County 25 day of
 March Anno Dom 1684 that he take Thomas Henry otherwise that if
 he should be found in his Deuilish and then take his body for to
 his hand his Body before his Majesty's Justice at the next Court to
 Answer unto Thomas King of a plea of Debt