

Sept. Court 1702

It is by the Justices here considered the Sunday and year after
1702 Dec. Fry recover against the said Nathl. Coates as well
the sum of four hundred fifty six pounds of tobacco the debt as
as the sum of three hundred and thirty seven pounds of tobacco
of the said Nathl. Coates and the Defendant in Money &c.

Edward Fry } Remains Debt of Kent County Bonds Attached to
is } Answer unto Edward Fry of a plea of Trespass
Remains Debt } the Case for the sum of three hundred and fifty
pounds of tobacco due unto the Plaintiff by account for ordinary
Accommodations at the Debt and account filed in this Court by Rub.
Macklin Esq. of the Plaintiff May at large appears.

And the said Def. by Michael Parlar Esq. Attorney
for the Defendant the force and Injury when he and he prays
leave to Impe his Honor will next Court and he shall
the Sunday is given the Plaintiff also

At which said next Court to wit this twenty second
day of Sept. Anno Dom. 1702. James as well the said Nathl.
Coates as the said Defendant by his Attorney who
further defends the force and Injury when he and he prays
plea says that the Plaintiff's action and ought not to hear
and maintain as the said Def. for y. the said Def. says
that since the Plaintiff's issuing out his original writ
ag. the said Def. to wit on the ninth day of June Anno Dom.
1702 he the said Defendant. Accounted with a certain Debt
Stevenson and David Wilson who was Cook keeper or agent
for the said Edward Fry and good Stevenson and that at the
day of the said Def. did pass his obligation under hand
and Seal to the said Fry and Stevenson or one of them who
then seemed to be jointly concerned in their business for the sum
of four hundred fifty seven pounds of tobacco as here
in Court brought will appears being the Call of all
Accounts between Edward Fry Stevenson & said Defendant and of this
puts himself upon the Country

And the said Plaintiff by his said Attorney for replication says
that the said plea of the said Defendant in manner and form as pleaded
and the matter in y. same contained doth not hold sufficient in Law