

June Court 1714

Thousand four hundred pounds of Tobacco and thereof he brings Suite *et*. BONNE
p Quod pleg of pro. John Doe & Richard Roe.

Anno 1706 Mrs Mary Pope D^r. to Thomas Marmora To my fee at Brans 400 Anno
1707 To y^e promise to pay of following fees for your Son Thomas Howell viz to my
fee at John Wilson 400 To my fee at Rogier 400 To Debit at Trent 400 To Debit
in Chancery at Falconer 900 To my fee in two Auctions at Harwood 800 Totall 3200.

Errors Excepted of Tho Marmora March of 10. 1712 Thomas Marmora maketh
oath on the holy Evangelists that the above amount is just & true and that he
sped no part nor parcel thereof and that Mrs Mary Pope promised to pay him
of fees due from the Son **Thos Myth**

And now here at the Justice Court of Sunday last mentioned viz of Second day of March
Anno Dom one Thousand seven hundred & thirteen Came the said David Young by
Thomas Cooke his attorney and appeared to of above Auction and filed his plea to of
above Auction which followeth viz

AND the said Deft of Thomas Cooke his atty Comes and Defends of force and
Injury when *et*. and says that of said Thomas his Auction against him ought
not to have because he saith that he is no Executor of of Last will &
Testament of of said Mary Pope in y^e Declaration mentioned nor any other goods
or Chattels that were of of said Mary Papes at y^e time of her Death nor at any other
time as Executor of of Testament of of said Mary Pope did ever Admittor and of
this he puts himselfe in y^e County of **Tran Cooke** & Defend

AND the said ptt. saith that of said plea of of said Deft in manner & forme above
pleaded & of matt^r in of same Contained is not sufficient in Law to cause of same
ptt to be barred from having and maintaining his Auction above against him of said
Deft. and that he to that plea in Manner & forme above pleaded hath not necessarily
nor by the Lawes of this Land is obliged to make Reply And for cause of Demurror
According to of Statute Shows that the said Deft hath concluded his said plea
upon of County whereas by Law it ought not which of said ptt is ready to
Veroffe Wherefore for want of a sufficient plea of of said Deft in this Behalfe
of said ptt pray judgement and his Damages above in his Declaration sett
forth *et*. **Bonne**

AND of said Deft for that in his said plea alledged sufficient matter to barre
of said ptt from having his said Auction against him as to of Conclusion of his said
plea on the County which he is ready to Veroffe which said Matter he the
said ptt. doth not Deny nor in any manner answer unto it but doth altogether
refuse