

and not another person of the Same name discharged by the Act of

Maibridge & Deft

And thereupon the Same action was continued untill the next next Court
in Court

At which said next Court by the Seventeenth day of March Anno Domini
One Thousand Seven hundred and Eighteen came the aforesaid by his aforesaid
attly and the aforesaid Deft by his aforesaid attly and the Deft by his aforesaid attly
in a Demurrer which was for the aforesaid William Glanville for as much as the
aforesaid Dominick the action of the Same William above said doth not deny
but that he doth owe unto the said William the aforesaid quantity of four hundred
and twenty pounds of Tobacco in form as the said William above
against him the said Dominick hath declared, prays Judgment and his
debt aforesaid together with his Damages occasioned by the Detention of
the Same debt to be to him adjudged and the aforesaid William for the better
and more Speedy Execution of his debt aforesaid together with his Damages
by the reasons aforesaid unto him to be made and adjudged Such that the plea
aforesaid by the said Dominick above pleaded and the matter therein contained
are not sufficient in Law to repel the said William from having any Execution
which shall unto him seem expedient in this part to be levied against
the Body or Lands Tenements hereditaments Goods & Chattels of the Same
Dominick unto which said plea he hath no need nor by the Law of the
Land is held in any sort to answer and thus the said William is ready
to verify wherefore for want of a sufficient plea of the said Dominick
in this part he prays Judgment for any Execution whatsoever of the
debt aforesaid together with his Damages occasioned by the detention of the Same
against the said Dominick or of his Lands Tenements hereditaments goods
and Chattels to be levied or upon the person of the said Dominick to be
Executed as unto him the said William Glanville shall seem most expedi-
ent unto him to be granted and adjudged And for causes of Demurrer in
in Law according to the form of the Statute in such Cases made and provided
the said William shews to the Court here that following by 1. It doth not
appear by the said plea of the said Dominick but that his Estate personall
and real are Subject to Execution notwithstanding the Act aforesaid for any debt
due by him of the said Dominick before the making of the said Act Secondly it
doth not appear where the said Dominick was discharged of the debt in his plea
and lastly the plea of the said Dominick is negatory and superlatively bad.
both in Substance and form

1 Lut. h: 331

Demurrer Joyn'd Maibridge & Deft

And the aforesaid plea and Demurrer being read and by the attly of both Sides
argued and mature deliberation being by the Court thereupon taken do
adjudge the aforesaid Demurrer good and sufficient in Law wherefore the aforesaid Deft
for want of a sufficient plea in this behalfe as by the Court here is adjudg