Form of the statute in such case made and provided with the leave of the court comes and further defends the force and injury when andsoforth and saith that the said Benjamin his action aforesaid against him the said Isaac ought not to have and maintain because he saith that by a certain act of assembly made and passed at a session of assembly begun and held at the City of Annapolis on Saturday the first day of November in the sixteenth year of the dominion of the late right honourable Frederick absolute Lord and proprietary of the province of Maryland and Avalon and so forth and ended the sixth day of December in the year of our Lord one thousand seven hundred and sixty six it was among other things enacted by the right Honourable the then Lord proprietary by and with the advice and consent of his Lordships Governor and the Upper and Lower houses of assembly and the authority of the same that after the first day of May then next following no estate of inheritance or free hold or any declaration or limitation of use or any estate for above seven Years shall pass or take effect except the deed or conveyance by which the same shall be intended to pass or take effect shall be acknowledged in the provincial court or before one of the justices thereof or in the county court or before two justices of the same county where the lands tenements or hereditaments conveyed by such deed or conveyance do lie and be also enrolled in the records of the same or the provinceal court as the case may be within six months after the date of such deed or conveyance as by the said act among other things more fully appears and the said Isaac further sayth that the said indenture in the said declaration supposed to be made was not acknowledged in manner and form as by the said act is required and this he is ready to verify wherefore he prays judgment whether the said Benjamin his action aforesaid against him thereupon ought to have and maintain andsoforth. And the aforesaid Benjamin as to the first plea of the said Isaac in like manner andsoforth - And the said Benjamin saith that he by any thing by the said Isaac in his second plea above in pleading alledged ought not to be barred from having his said action thereupon against him the said Isaac because he saith that the second plea aforesaid by him the said Isaac in manner and



and form aforesaid above pleaded and the matter in the same contained are not sufficient in law to bar him the said Benjamin from having his said action thereupon against him the said Isaac to to which said second plea in manner and form aforesaid above pleaded he the said Benjamin hath no necessity nor is he bound by the law of the land in any manner to answer and this he is ready to verify wherefore for want of a sufficient plea in this behalf he the said Benjamin prays Judgment and his damages by occasion of the premises to be adjudged to him &c. and for cause of this Demurrer in law according to the statute in such case made and provided he the said Benjamin demonstrates and sheweth to the court here these causes following that is to say first for that the second plea is double and contradictory in averring that the covenants in the said indenture were performed by the said Isaac and that he the said Isaac had not broke the covenants in the said indenture that the said second plea is informal and insufficient because it tenders an issue and conclude to the country and soforth And the said Benjamin to the third plea of the said Isaac saith that by any thing alledged by the said Isaac in his said third plea he the said Benjamin from having and maintaining his action aforesaid against the said Isaac to be precluded ought not because he saith that the said Isaac did not pay to him the said Benjamin upon the twenty fifth day of September in the year seventeen hundred and eighty four or at any time since the said sum of thirty pounds sterling money or any part thereof which the said Isaac ought to have paid to the said Benjamin on the year and day last aforesaid according to the form and effect of the said indenture in manner and form as the said Isaac has above by pleading alledged and this he prays may be enquired of by the country andsoforth - And the said Benjamin saith that he by any thing by the said Isaac in his said fourth, fifth, seventh and eight pleas above in pleading alledged ought not to be barred from having his said action thereupon against him the said Isaac because he saith that that the fourth, fifth, seventh and eighth pleas aforesaid by him the said Isaac in manner and form aforesaid above pleaded and the matters in the same contained are not sufficient in law to bar him the said Benjamin from having his said action thereupon against him the said Isaac to which said fourth fifth seventh and eighth pleas in manner and form aforesaid