

The writ and order are both without any Addition for they ought  
both to have said John Wade of Kent County <sup>or person</sup> Carpenter or any other  
Addition of Trade or calling which he followed to make him singular from  
other Mr Wade for there may be more Mr Wades in Kent County than this Mr  
Wade for this Reason was the statute of the 1 of Hen 5<sup>th</sup> Chap 5<sup>th</sup>

3<sup>de</sup>  
The doct in the doct is not laid to be contracted in any place for it may  
as well be in Holland France or Spain or else where and if soe not within  
the Jurisdiction of this Court but if it had been soe then he ought specially  
to aver that that place was within the Jurisdiction of this Court Hugh  
Grand Abbot folio 502 par: 17<sup>th</sup> Sholton case in B R Thoupard's Com  
assurances Cha: 17<sup>th</sup> par: 4<sup>th</sup> Hugh's Abbot folio 353 pt: 16:

4<sup>th</sup>  
The Doct hath said that the defend: stood indebted to him for se-  
veral medicines and other means but doth not specially say forth or  
aver that it was at the Especial instance and request of the defend: that  
he delivered the particulars nor he doth not aver that over the defend: offer-  
ed to pay him for it, for if he brought the Wares to the house of  
the Defend: without the privacy consent Knowledge or request of the  
Defend: he hath the same privilege to take them away Neither doth  
he aver that over the Defend: practised Physick & Chirurgery soe that if  
not then it was not lawfull for him to Adm any such Medicines for  
by it the Defend: might have lost his life Bulstrode's by Clarke  
and Charnock in B R Hugh's Abbot par: 16<sup>th</sup> 93

5<sup>th</sup>  
The pl<sup>t</sup> hath brought his Action upon an Indebitatus Assumpsit which  
is a Contract made by that is You Owe me soe much and we have accom-  
pted and thereupon You Assumed to pay which Action cannot well be  
brought without Evidence to make it appear but he saith for soe  
the commonness of the account and gives him Credit for six hund-  
red forty and eight pounds of Tobacco Dub: which implies an  
account by Debit: and he say should be put upon the Defend: Con-  
sider more than the Defend: on the pl<sup>t</sup> but he ought to declare  
upon a quantum Morit and soe say forth that the pl<sup>t</sup> being well  
skilled in the practice of Physick and Chirurgery the Defend: in  
compassion and at the Especial instance and request of the Defend:  
that if the pl<sup>t</sup> would Adm. such Medicines proper for his distemper  
that then the said Defend: did promise to Assume to pay the said pl<sup>t</sup> for the same  
soe much as he then did demand for the same and soe declares in fact that  
he trusting he did Adm. &c. and all the said Defend: had paid 648<sup>th</sup> for  
fact