

August Court 1703

Batchell of London and being at court in the said Charterhouse to transport in carry of some goods of a great Charles ... of London ... all England ... to be delivered in good order and well conditioned ... the charge of ... only excepted unto one Edward Wright for ... of four pounds ... money ... freight thereof ... in consideration whereof ... said William upon himself did assume and unto ... Anne when sold then and there faithfully promised that he if said ... aforesaid two ... of loss to London ... would carry ... them there (that is to say at London aforesaid) to if aforesaid Edward Wright ... aforesaid Anne well faithfully ... safely would to if said Edward Wright deliver notice ... standing the said William his promise & assumption aforesaid ... regarding but ... fraudulently intending if said Anne when sold ... of said Charles & Anne after their intermarriage in that part ... the Subtilty to Deceive & Defraud of aforesaid two ... of loss to if aforesaid Edward Wright according to his aforesaid assumption & promise did not deliver although if said ship ... arrived at London aforesaid ... of said two ... of loss were utterly lost to y^e Damage of y^e said ... thirty pounds ... thereupon they bring this Suit

And the said Defendant by Michael Carle his attorney Comer & Defendants of force & Injury & when he ... for plea ... he if said Defendant did not assume upon himself in that manner ... of y^e ... in their ... he has falsly alleged of him all ... he is ready to ... of this he puts himself upon y^e country

And the ... in like manner ... thereupon command is given to the Sheriff of West County that he immediately cause to come here twelve ... by whom ... who neither ... to recognize ... as ... who makes ... of his said precept ... if he has here ready twelve ... as by his said precept he was ... to ... John Primrose, Michael Green, Thomas Head, Richard ... William ... Thomas Guin, Nicholas Marsey, William Austin, John Nicholson, John Johnson, Benatus Smith, Thomas Scottin, who being elected ... & sworn to say the in the ... and having heard if pleadings & allegations on both sides Doe say upon their oath we of y^e jury Doe find for y^e Defendant

It is therefore considered by y^e Court this twentieth fourth Day of August 1703 that y^e said ... William as to if said action ... Doe recover from y^e said ... as well y^e sum of fifty pounds of loss for and ... of aforesaid ... as if sum of five hundred & thirty & four pounds of loss (lost of Guile and the said ... Charles & Marshall & Anne his Wife in money)

Michael Carle (bill filed) Michael Carle one of y^e attys of West County ... Court ... into Court in his ... & exhibits a ... bill of Complaint of George Lumley of ... County ... last will & testament of ... late of y^e same ... Decayed of a piece of ... with him y^e full y^e just sum of three thousand one hundred & forty two pounds of good sound merchantable ... in Cash ... from him he unjustly Detains.

Geo. Lumley