

August Court 1703

Isaac Davis
The 4th of June 1703

Be it remembered that the 24 Day of August 1703 Isaac Davis by Richard Mathew his atty & Solicitor to her Majesty's Justices of Kent County Court judicially setting his certain bill ag^t George Lumley Esq^r of Kent County Court Esq^r of Eastwell & the testam^t of Edward Hrij late of Kent County Deceased; here present in Court in his proper person of a plea of trespass upon the Case.

And whereas upon the said Isaac by Richard Mathew his atty. Complainant - whereof Isaac is 25 Day of June anno 1702 in the month of October and 25th year at the Special Instance & request of J^d Edward in his lifetime sold & Delivered unto J^d Edward Divers goods wares & merchandizes amounting to the sum of four pounds Thirteen Shillings & six pence as by an att^r thereof, to this Debt annexed & hereinafter brought produced & he same appears in Conspiration & Oath of J^d Edward in his lifetime upon himselfe assumed & unto J^d Isaac then & there faithfully promised by the said Edward (when thereunto required) the said J^d 13: was & truly by he would pay yett never theless the said Edward in his lifetime, & by J^d George after the Death of J^d Edward of a promise & assumption of J^d Edward in form: a J^d made not weighing nor in any manner regarding but plotting, contriving & fraudulently intending the said Isaac of J^d 13: to pay but of same to pay have Denied and J^d George of same (as yett to pay) Denied & refuse although often thereunto (by the said Isaac) required, to J^d Isaac's charge & of J^d Isaac's 09: 06 & thereupon he brings this suit.

Isaac Davis - And the Debt in his oth Capacity by Michael Earle his atty comes to the sum of 4^l 13^s 06^d & J^d Isaac's 09: 06 & J^d George's 01: 13: 00
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And the Debt in his oth Capacity by Michael Earle his atty comes to the sum of 4^l 13^s 06^d & J^d Isaac's 09: 06 & J^d George's 01: 13: 00
because he saith that J^d Edward in his life time paid & satisfied unto J^d Isaac the sum of two pounds sixteen shillings & six pence part of the Debt of 4^l 13^s 06^d mentioned as above & J^d Isaac's 09: 06 & J^d George's 01: 13: 00
= pears and therefore prays Discount according to use of a Statute made
and as to the residue hath not to pay.

Which Debt & plea being by the Court heard & publicly understood it is by them Considered of Day & year a^d that the said Debt in the said Statute Book (whereof J^d Isaac is 25th year a^d that the said Debt in the said Statute Book) be Discounted accordingly and if J^d Isaac Davis recover of the said George Lumley in his oth Capacity, as usually sum of two pounds eight Shillings & six pence Due after J^d Discount as if J^d Debt of suit allowed by Law in such Cases, that is of the said Balance to be paid when a^d the oth of J^d testator in J^d hands.
Geo: Lumley Esq^r