

April Court 1702

luns &c. At the special Instance and request of the said Testator and for y^e proper use and service of him the said Testator the said Michael Earle did severall severall, &c. which is incoherent & unsones that the Testator should request himself to do unto himself diverse services to his own use

3^{ly} The Plaintiff by his doct and account sets forth that he hath had delivered to the Testator diverse sums of Money but doth not alledge that he either sold or lent the said Testator the said sums of money so that by any things alledged the Money might be given or lent a quid pro quo for some other consideration recd by the said Plaintiff

4^{ly} That seventh Article of his account is for eight pieces of 8^e and 1/2 a Crown delivered for merchant which is unreasonable an Article that the defendt knows not what is meant by it

5^{ly} Diverse of the articles are for attys fees (with the dec.) in Talbot Family and the Plaintiff in his doct doth not set forth or alledge that he was ever admitted and sworn an atty in Talbot Family

6^{ly} The act of Limitation lies against the Dec first yearred in the Plaintiffs account mentioned

And the said Plaintiff in his doct for sayth that the doct and account are sufficient to cause the Dec to be set aside & thereof pray Judgt as afo^r

And now here this day to wit the same day and year afo^r the Doct and Demand and Allegations thereupon being by the Justice reviewed and maturely deliberated It is by them considered that the sd. Michael Earle takes Nothing by his writ afo^r but some Mercy for his false Camour and that the said Henry Hynson &c. go hence & without day and it is likewise considered by the sd. Justice that the said Henry Hynson &c. & abovesaid recover against the said Michael Earle the sum of One hundred and Sixty and Six pounds of Tobacco for their Costs and Charges in this behalf sayd out and expended according to the form of the Statute

Andrew Imbert & Henry Hynson and Mary his wife Hands attached Hen Hynson &c. to answer unto Andrew Imbert of a plea of Trespass upon the Case

And whereupon the said Andrew by Michael Earle his atty complains and sayth that whereas the said Andrew Imbert professing himself a physician and Surgeon and being well skilled in diverse sorts of distempers incident to the body of Man

(and if