August Court 1708

Eighth day of April Anno Dni 1708 at Kent County aforesd within the Jurisdiction aforesd Contrary to the Forme by ye Said Benjamin & he hath been required but the Same to them to pay according to the lenour true intent & meaning of the Said Bill of Exchange hath wilfully denyed and yet doth Denye & gainsay whereupon they Say they are worse & Damage have to the Value of nineteen pounds Soaven Shill & Six pence Sterl and of this they bring Suite &c Philipson pro Qu. Ptiff

Vs Jno Doe Ruled: Rto

AND ye Sd Deft by Richard Hunter his Atty (comes) defends ye Force & Injury when &c and for plea saith the Deed of ye Sd Pltiffs & matter in ye Same Contained is Insufficient in Law to Compel him the said Defendt to make Answr thereunto & that he need not nor by the Law of the Land is he bound to make answer to the Said Deed and therefore for want of a good & Sufficient Deed of ye Said Pltiffs & Sufficient matter form & Estate in the Same to be Contained he the Said Defendt demurs in Law & for Reasons in Demurr saith first the Said Pltiff in there Said Deed Say the Contents whereof are as followeth by the first of the aforesd three Bills of Exchange he did Require ye Said Robert three days after sight ye sec second or third not paid to pay or cause to be paid unto the Said Edward Ballingt or ord ye Sum of Eight pounds one Shilling & Six pence Sterl money being for value &c to make good payment & place ye Same to his Accountt & the name or Subscription of Jno Humble Servant Jno Adam) all which is uncertain & uncertain for want of the Said Bill being Recited at Large ye Said Deft Cannot Answer — 2 The Said Pltiffs Deed Say in Lieu of Reciteing ye 2 & 3 Bills of Exchange at Large Saith) that by the Said Johns Second Bill of Exchange before mentioned, he did — Require ye Said Robt in the manner &c his first or third not paid to pay &c and by the Said Johns third bill of Exchange he did require the Said Robert in like manner his first or second not paid to pay &c (without Recieving any of the 2 or 3d of the Said Bills at Large so that the Said Defendt Cannot tell how to Answer a Right Allowing Encouragt

3dly the Said Pltiffs in ye Sd Deed Say) of Wm Benjamin Way in Comp aforesd (which Way be a nother Benjamin Way because no Mr Benjamin Way is Before ye) therefore to gather with ye aforesd Reason Render ye aforesd Deed Uncertain & Insufficient that it is impossible for him ye aforesd Deft to make any certain Answer thereunto allowe: he the aforesd Deft is Ready to — verify &c therefore he the Said Defendant prays Judgment &c & that his Costs expended by Occasion of the Vexatious Suite may be adjudged unto him &c Hunter Qr Defend.

The Pltiffs Joyns in Demurr Philipson pro Qu. —

WHICH Said Demurr being read & argued and mature Deliberation thereupon by the Court being taken, and also that the Demurr-