

Nov^r. 21. 1707

a certaine Bill of complaint ag^t. M^r. Michael Earle Gent another of y^e. Att^{ys} of
this Co^{ty}. here at this time legally present The tenour of w^{ch}. B^{ill} follows in
these words Viz^t. To y^e. Justices of our Sovereign Lady y^e. Quene of her County
Co^{ty} here viz^t.

The s^r. Christopher in his proper person complains ag^t. y^e. s^r. Michael Earle that
Whereas a certaine Edw^d. Toppitt upon y^e. twenty ninth day of Sept^r. An^o. Dom^o
one thousand seven hundred & four at Kent County a^{ft}. 10th in y^e. Jurisdiction of
this Co^{ty}. did by his certaine writing or specially under his hand & seal here in
Co^{ty}. brought bearing date as above s^d. promise to pay unto y^e. s^r. Christopher or his
Order y^e. sume of one thousand pounds of good sound M^echantable T^{ob}. and that upon
demand And whereas y^e. a^{ft}. Edw^d. did thence there immediately after wards viz^t
upon y^e. same day or there ab^t. at y^e. place a^{ft}. 10th in y^e. Jurisdiction a^{ft}. because y^e
s^r. Michael Earle for severall considerations upon a communication of y^e. betwene
y^e. s^r. Michael & Edw^d. voluntarily then agreed upon and that y^e. s^r. Michael knowing
y^e. s^r. Edw^d. to be justly indebted unto y^e. s^r. Christopher y^e. a^{ft}. sume of one thousand
pounds of T^{ob}. qualified as above s^d. in behalfe of y^e. s^r. Edw^d. and at his spec^{ial} instance
& request as an addition^e parte of y^e. consideration for y^e. servitude of him y^e. s^r. Edw^d.
did upon himselfe assume and unto y^e. s^r. Christopher thence there faithfully
promise that he y^e. s^r. Michael y^e. a^{ft}. sume of one thousand pounds of T^{ob}. when
thereunto required unto y^e. s^r. Christopher accordingly would well & faithfully say
content viz^t. when he y^e. s^r. Michael by y^e. s^r. Christopher should be thereunto
required Nevertheless y^e. a^{ft}. Michael his promise & assumption a^{ft}. for y^e.
consideration a^{ft}. in forme a^{ft}. made not regarding y^e. a^{ft}. sume of one thousand
pounds of T^{ob}. unto y^e. s^r. Christopher he hath not paid altho y^e. same to doe upon
y^e. twenty fourth day of June last viz^t. in y^e. year one thousand seven hundred
& seven at Kent County a^{ft}. 10th in y^e. Jurisdiction a^{ft}. and often since by y^e. s^r. Christopher
he hath been thereunto required but y^e. same to him to pay discompt or anywise
upon rec^{on}ing betwene them y^e. s^r. Michael & Christopher to allow halfe p^{er} cent
doth done Whereupon he saith he is worse and damage hath to y^e. value of two
thousand pounds of T^{ob}. And of this he prays Remedy &c.

Philipson in person. By y^e. Ju^o. Doe
R^o. Doe

And y^e. s^r. Michael in his proper person comes & defends y^e. force & injury whence and
for y^e. Ca saith that he did not assume upon himselfe as y^e. B^{ill} ag^t. him hath falsely
set forth in his Bill of complaint And of this he putteth himselfe upon y^e. Country
Earle in person

And y^e. s^r. Christopher to joyne in issue 10th y^e. s^r. Michael maketh default nor
saith any thing by way of Replication to y^e. same but is willing to suffer a nonsuit
Therefore it is considered by y^e. Co^{ty}. here that y^e. s^r. Christopher take nothing by his
Bill a^{ft}. but for his false clamour he & his s^r. Edges of prosecuting be in money
and