Jonathan Searth & Co. vs Edward Turner

Edward Turner Late of Dorchester County was attached to Answer unto Jonathan Searth and Company Merchants of a plea of Trespass upon the case &c

And whereupon the said Jonathan Searth and Company by George Plato their attorney Complain that whereas the said Edward Turner the Twenty Sixth day of May in the Year of our Lord 1707 at Dorchester County aforesaid stood fully indebted unto the said Jonathan and Company in the sum of Twenty Pounds Thirteen Shillings Sterling money of England and being so indebted the said Edward in consideration thereof according to the Custom of Merchants did then & there draw three Bills of Exchange all of one tenour and date with his proper hand and Name of the said Edward Turner subscribed and to Carl Jonathan Walthey Merchant in London directed by the first of which said Bills of Exchange the said requires the said Jonathan Walthey at Twenty days Sight thereof the second and third not paid to pay unto the said Jonathan Searth and Company Owners of the Ship Jacob or order the sum of Twenty Pounds Thirteen Shillings Sterling money of England and place the same to Account of the said Edward Turner and the said Edward Turner by the second & third of the said Bills of Exchange the first not paid did in like manner require the said Walthey at Twenty days Sight thereof to pay or cause to be paid unto the said Jonathan Searth and Company Owners of the Ship Jacob or order the said sum of Twenty Pounds Thirteen Shillings Sterling Money of England and place the same to Account of the said Edward Turner and the said Edward did then and there Assume upon himself & to the said Jonathan & Company faithfully promise that if the said Bills of Exchange or any of them were not

according to the tenour and effect thereof paid the said Jonathan Searth & Company at order that then the said Edward would Well and truely content and pay the same when thereunto required and the said Jonathan and Company in fact say that they trusting to the faith & Assumption of the said Edward was made at the Request of the said Edward the first and Originall Bill of Exchange unto Jancy Buckleston & Sebastian Publick by Royall Authority Admitted and Sworn Broker in London which said Notary upon the Tenth day of October 1707 at request of the said Jonathan Searth & Company did show & publish the said first and Originall Bill of Exchange the second & third not being paid unto Jonathan Walthey to whom the same was directed and demanded payment thereof whereupon the said Jonathan Walthey Answered that he would not pay the said Bill for want of effects upon which Answer the said Notary by request did then & there solemnly protest as well against Edward Turner Drawer of the said Bills as by all other ways when it doth or may concern for Exchange Rechange and all costs damages and interests suffered & to be suffered for want of payment of the said Bills so protested as aforesaid yet notwithstanding the said Edward the promised and Assumption aforesaid regarding but minding & fraudulently intending the said Jonathan Searth and Company in that behalf to defraud the said Edward the said Sum of Twenty Pounds Thirteen Shillings Sterling unto the said Jonathan Searth and Company altho afterwards to wit the fourth day of June in the Year of our Lord 1702 at the place aforesaid was thereunto required hath not paid but the same to pay hath refused and still doth refuse to the damage of the said Jonathan Searth and Company forty Pounds and thereof they bring their Suit &c

And the said Jonathan & Co bring here into Court as well the Original Bill of Exchange as the protest aforesaid &c

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