

Fairfield 1<sup>st</sup> County Court April Term D 1747 Joseph Haynes —  
versus Charles Dumont & Peter Hubbell D<sup>ts</sup> ~~and next the said~~

upon Bond demanding \$511 = 0 = 0 New York Money and now the

Charles Dumont who is principal in said Bond and upon whose acc<sup>t</sup> of Debt  
first arose and assigned to y<sup>e</sup> Plaintiff, and also the P<sup>r</sup> Peter Hubbell  
comes into Court on y<sup>e</sup> first Day of the sitting thereof and informs & gives the  
said Court to understand that on y<sup>e</sup> twenty fifth Day of April D 1743 he  
owed to Lattouch and Haynes merch<sup>ts</sup> in Company £112-15-11<sup>1</sup>/<sub>2</sub> by Book  
for Goods & Merchandize had and taken up the same 25<sup>th</sup> Day of April and y<sup>e</sup>  
P<sup>r</sup> Lattouch and Haynes executed and took of the said Charles a bond of y<sup>e</sup> same  
Date conditioned for y<sup>e</sup> Payment of £125 = 11 = 0 payable on y<sup>e</sup> twenty  
fifth Day of April next ensuing y<sup>e</sup> Date of said Bond which Bond included in  
it more than lawfull Intrest and was Usurious & oppressive and given for no  
Just or reasonable Consideration = And on y<sup>e</sup> 10<sup>th</sup> Day of Nov<sup>r</sup> 1743 the P<sup>r</sup>  
Charles owed to y<sup>e</sup> P<sup>r</sup> Lattouch & Haynes for certain goods & merchandizes on y<sup>e</sup>  
same 10<sup>th</sup> Day of Nov<sup>r</sup> taken up had & received of them one hundred forty  
one pounds five Shillings & five pence half penny New York Money ~~and~~  
~~same~~ which ~~base of~~ ~~same~~ Goods & Merchandizes were to be paid for  
in one year from y<sup>e</sup> taking up y<sup>e</sup> same and the P<sup>r</sup> Lattouch and Haynes after  
wards viz: on y<sup>e</sup> same tenth Day of Nov<sup>r</sup> took of y<sup>e</sup> Charles a Bond of  
that Date for y<sup>e</sup> Payment of £144-9-0 New York Money on y<sup>e</sup> 10<sup>th</sup> Day  
of Nov<sup>r</sup> next ensuing y<sup>e</sup> Date of said Bond - wherefore said Bond was Usurious &  
Oppressive and given for no Just & reasonable Consideration - And on y<sup>e</sup>  
twenty fourth Day of Nov<sup>r</sup> 1743 the said Charles had paid unto y<sup>e</sup> Lattouch &  
Haynes £15-18- New York Money upon y<sup>e</sup> Curt-off y<sup>e</sup> Debt ~~is~~ included in  
said Bond -

And on y<sup>e</sup> 9<sup>th</sup> Day of March 1744/5 the P<sup>r</sup> Lattouch & Haynes had y<sup>e</sup> said Bond out  
standing against y<sup>e</sup> P<sup>r</sup> Charles and also one other Bond dated y<sup>e</sup> 17<sup>th</sup> Day of May  
1742 conditioned for y<sup>e</sup> Payment of £218-19-2 New York Money on y<sup>e</sup> 15<sup>th</sup> Day  
of May next ensuing y<sup>e</sup> Date of said Bond which Bond hadundry endorsements thereon  
of Payments viz: on y<sup>e</sup> 11<sup>th</sup> Day of Aug: 1742 <sup>one</sup> of £30 - one other of £4-10- on y<sup>e</sup>  
9<sup>th</sup> Day of Oct<sup>r</sup> 1742 - one other of £45 = 1 = 0 on y<sup>e</sup> 27<sup>th</sup> Day of April  
1743 - one other of £82-10-0 on y<sup>e</sup> 9<sup>th</sup> Day of Nov<sup>r</sup> 1743 all of New York  
Money - and the P<sup>r</sup> Lattouch & Haynes had one other Bond out standing against  
y<sup>e</sup> P<sup>r</sup> Charles dated y<sup>e</sup> 12<sup>th</sup> Day of October 1742 conditioned for y<sup>e</sup> Payment of £100-5-10<sup>2</sup>  
on y<sup>e</sup> 12<sup>th</sup> Day of October next ensuing y<sup>e</sup> Date of said Bond -  
and on the same ninth of March the P<sup>r</sup> Lattouch & Haynes executed & requested

Requested of the said Charles other two Bonds with surety for the Payment of four hundred fifty five pounds twelve & seven pence New York Money payable on or <sup>the</sup> 10<sup>th</sup> Day of March 1745/6 which the said Charles with y<sup>e</sup> said Peter Hubbell his surety gave the one Bond dated y<sup>e</sup> 10<sup>th</sup> Day of March 1745 for four hundred pounds current Money of New York conditional for y<sup>e</sup> payment of £200 in like Money w<sup>th</sup> Intrest for y<sup>e</sup> same on y<sup>e</sup> 10<sup>th</sup> Day of March next ensuing the Date of sd Bond which sd Bond is paid & satisfied

which two bonds included in them thirty one pounds seventeen Shillings & six pence like Money more ~~than~~ Intrest for forbearance at y<sup>e</sup> Rate of 6<sup>d</sup> for the forbearance one year of the sd sum of Debt

and the other Bond dated y<sup>e</sup> same month Day of March for £511.0.0 conditional for y<sup>e</sup> Payment £245.12.7 on y<sup>e</sup> 10<sup>th</sup> Day of March 1745/6

with Intrest therefor which last Bond is y<sup>e</sup> same Declared upon in which Bond there is included thirty one pounds seventeen Shillings & six pence New York Money more ~~than~~ Intrest for forbearance more than <sup>y<sup>e</sup> Intrest</sup> at y<sup>e</sup> Rate of six pence for y<sup>e</sup> forbearance of £100 one year and this y<sup>e</sup> sd

Charles is ready to verify wherefore the Bond declared upon is sufficient & appropiate & given for no just & reasonable Consideration whereupon the said Charles & Peter pray the said Court to take Cognizance of this Informa-

tion and hear & try the Cause therein contained as a Court of Equity according to the Law in this Colony in such Cases provided

Dated in Fairfield County Court April Term on y<sup>e</sup> 21<sup>st</sup> Day of the Month

1747

Bill of Wray  
Fairfield County

1747  
filed of first day of y<sup>e</sup>

County  
John & Peter Cook

Joseph Hayes

05

Charles Duncomb  
and Peter Hubbell

1747

Charles Duncomb  
&  
Peter Hubbell  
by Robt  
Hubbell  
Attorn

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