

Settlement Order - James Bowles

A
S E R I E S
O F T H E
D E C I S I O N S
O F
The Court of King's Bench

U P O N
S E T T L E M E N T - C A S E S ;
F R O M

The Death of LORD RAYMOND in *March* 1732 :

T O W H I C H I S A D D E D

A *Complete* ABRIDGMENT of the SUBSTANCE
of each Case, and two Tables of the *Names* of them.

By J A M E S B U R R O W, Esq;

V O L U M E the F I R S T :
Containing Twenty-one Years, and including LORD HARDWICKE'S
Time and LORD CHIEF JUSTICE LEE'S.

L O N D O N :
Printed for J. WORRALL and B. TOVEY, near *Lincoln's Inn*.
M D C C L X V I I I.

Rex v. The Inhabitants of East-Knoyle.

No. 51.

ON Saturday the 10th of May last, a Motion was made by Mr. ^{The same} Gundry, to quash an Order of Sessions confirming an Order of Day. two Justices made for the Removal of *Anne Bowles*, the Wife of *James Bowles*, and *George* their Son aged five Weeks, from *Teffont Magna* to *East Knoyle* in *Wiltshire*, as the last legal Place of Settlement of the said *James Bowles* the Husband, who was run away and had left his said Wife and Child in *Teffont Magna*.

The Sessions-Order thus stated the Case—And it appearing to this Court upon the Evidence now given, that the said *James Bowles* was bound an Apprentice by Indentures to one *William Wilkins* of the Parish of *East-Knoyle* aforesaid Cordwainer (which is above 50 Miles from *London*;) and that he served three Years at *East-Knoyle* aforesaid under the said Apprenticeship; at which Time the said *William Wilkins*, the Master, died; and that the Sum of 5*l.* (being the full Consideration-Money) was paid by his Father with the said Apprentice for such his Binding: But the Indentures of Apprenticeship were not produced; neither did it appear to this Court whether the Duty of 6*d.* in the Pound directed to be paid by the Statute made in the 8th Year of the Reign of the late Queen *Anne*, c. 9. was paid, or whether the said Indentures were stampd, as the said Act requires.

Objection—It appears that the Justices have admitted and gone upon Evidence which was not legal. They have admitted parol Evidence of an Indenture; which they state not to have been produced, and have not given any Reason why it was not produced; nor did it appear to them that the Duty was paid, or whether the Indentures were stampd according to 8 *Ann. cap. 9.*

But Mr. J. PAGE and Mr. J. CHAPPLE (the only two Judges in Court) over-ruled the Objection, and refused to make a Rule to shew Cause. For it is stated that it appeared to THEM that he was bound an Apprentice, &c: And it is not necessary that this Evidence should appear to us. Perhaps the Indenture was lost:—And in that Case, could the Justices receive no other Evidence of the Binding? And as to the Duty and the Stamp—they do not say the Duty was not paid; or that the Indenture was not stampd.

The Motion was DENIED.

A Motion was now made to confirm the Orders, unless Cause was shewn before the End of the Term.

RULE—That the Orders be affirmed, unless Cause be shewn to the contrary before the End of this Term.

Rex