
 III.
 PETITIONS.

 Letter 130th.

My last of 24th instant acquainted you with the bankruptcy of Mr. N — of this place, since which am favour'd with none of yours. I suppose my letter came safe; I am sorry to confirm said contents!

Having in the mean time got a copy of the petition, which Mr. N — deliver'd to the magistrates of this place, as also to his creditors, which I send you inclos'd. The contents will acquaint you with his circumstances, which for your sake, I can but call them bad enough. He does but offer 10 p. c. The greatest part of his creditors here, have consented. I see no probability of his stock being augmented, thence you will be oblig'd to comply with his offer also. I shall want a power-of-attorney, to sign for you, and in your name &c.

The Petition.

P. P.

At this present juncture, when trade and traffick greatly diminishes, is in a manner sufficient to justify my decay in commerce. Your superiour knowledge in business, will therefore deign to protect me, though I
 could

could give no other reasons for the source of my misfortune.

Misfortunes are sometimes heaped together, by an unavoidable destiny, having found out a place for the resistance of her fury. Alas! I am become such a sacrifice. Every thing that an unfortunate merchant can experience has increased upon me, to such a degree, and, has at last plunged me into a very pitiful condition. I therefore beg for protection. The sorrowful echo of my misfortune, which will press tears of shame and trouble from my eyes, the days I have to live; will probably place me amongst the disrespectful number of premeditated cheats, and blast my reputation to all eternity — These will crave help and protection for me, and excite my creditors with compassion.

(The cause of bankruptcy is mention'd here.)

Such a trick false fortune plaid me; causing me at last to give way to her rage, and to throw myself into the arms of my gracious magistrate, expecting under their protection, the determination of my creditors. For this protection, and for the commiseration of the magistrate, I crave protection for the space of three months, to prevent the public shame of imprisonment, on account of my exchange debts.

For which purpose, I deliver you an exact account of my real stock, my debts, and what monies are due to me, according to a mandate published 7th. Jan. 1724. For the truth

truth of which, I am ready to make affidavit, and in a few days to bring it into a better form. I further promise as an honest, though unfortunate man, to do every thing in my power, that may tend to the profit, or lessening of my creditor's losses. God is my witness! I can depart from hence, in peace and quietness, undergo the strokes of fate patiently, and gladly embrace my calamity, in a full assurance of having wronged no one of his due — No, not I; cross destiny has done it. God grant that providence may restore their losses a hundred fold!

This is the real and sincere language of an innocent offender. On granting me a warranty, my total destruction will be avoided; it even will prove serviceable to my creditors. I once more beg it may be granted. On my request being allowed, my distress of mind will be lessened, and my gratitude always remain.

I remain with reverence
your &c.

Leipsic —.

most obedient &c.

N —

*N's proposal and request,
to his creditors at the next coming
easter mart, for paying
10 per cent.*

Gentlemen (Messieurs),

It is with trembling I put pen to paper, to acquaint you with the circumstances of an unfortunate man. The consequence appears terrible

terrible to me, that I must acquaint my kind creditors with loss and damage, instead of returning thanks for all former assistance. — Oh fatal must! which afflicts me in the most cruel manner. Yes Gentlemen, instead of payment, I must represent you with a plan of my ruined condition, and offer you no more than — dare I mention it? — no more, than 10 p. cent. —

How just wou'd the zeal of my gentlemen creditors be, in resenting me with the most reproachful colours, if any one could accuse me with negligence in the management of my business, or of prodigality in my way of living. However, every one that knows me, as also my own conscience, must in justice and equity, pronounce me blameless; which will remain my comfort, in the excess of my pitiable misfortune.

Iust as one does not leave a wounded person upon the street, to be rid over, or killed tho' in hopeless condition, but rather takes compassion on him, raises him from the ground, and gives him comfort and assistance: I even hope for the same, as a person involved in debts, by misfortunes, to meet with the generosity and fellow-feeling of my creditors; which I really expect.

I therefore resign my whole estate, or inheritance, lands and tenements to my creditors, and all and every thing that I am possessed of, without any exception, as specified in the adjoin'd list *letter A*. Was it but sufficient

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cient

cient to pacify you! But after deducting
2229 Rd. 15 gl. bad debts, only

1374 Rd. 19 gl. —

and the sum my creditors demand from me is
93000 Rixdollars 9 gl.

thence appears, that when 10 per cent is paid
from the whole, only 444 Rd. 9 gl. will re-
main for my spouse, who brought me 1500
Rd. and who had a right to the whole by law.
Out of love and regard for me, she will be
content with that, which her own hand writ-
ing testifies.

The 10 p. c. offered, shall be paid next
easter - mart, all in one payment, on receiv-
ing a receipt, and on delivering the bills in
hand back again, which I hereby promise,
in the most faithful and solemn manner.

As I am in the very flower of my age, pro-
bably providence may, after having under-
gone the painful hours of calamity, smile on
me again, and bless me: then I further pro-
mising, according to the goodness and boun-
ty of my worthy creditors, to contribute as
much as my new stock will allow, towards
discharging the whole — I will do it with
gladness and pleasure! — I will send up my
prayers to heaven, day and night, to become
prosperous, and to testify demonstratively
my honesty towards you — Will he leave my
supplication unregarded? no! he will bless
me for your sakes.

Permit worthy gentlemen, that the most
feeling and sensible love of your noble spi-
rits, may act towards me. Assist me by your
agreeing to my proposals; Your consent will
lay

lay the foundation towards my new instauration, and put me in a way, of getting my bread again. Thence you'll become the preserver of my spouse, and the fathers of my children, acknowledged as such, both by me and mine; and always honoured and blessed by that denomination. United we pray for your preservation; united we pray for your welfare and providence, and for prosperity and success in all your undertakings.

I remain with the most perfect esteem

Gentlemen

Leipsic the —

your most obedient humble servant.

A Petition

fora

Subsidiary.

The Right Honourable

The Magistrates. —

My Lords,

I hope Your Lordship's will be pleased to condescend, in remembering that I am the impowered person, in regard to a lawsuit between Mr. A — and Mr. B — concerning 800 Rd. decided in your laudable court; that I have carried on said suit by my lawyer, before this laudable court, as also before the court of appeals, in the best form an manner possible.

Your Lordship's will also be pleas'd to remember, that Mr. A — was sentenced, to

M 2

settle

settle accounts with Mr. B — for which reason I appealed to the court-of-appeals. Where the sentence given here was ratified and confirmed, thence the case was concluded; and I settled accounts with Mr. B — paying him what was his due. Accordingly I communicated him a bill-of-account, of all my disbursement, amounting to 350 Rd. as per inclos'd note No. 1 desiring a restauration of my money.

According to law and equity, and conformable to the contents of my letter-of-attorney, produced to this laudable court, Mr. A — obliged himself to indemnify me, and especially by the clause *sub hypotheca bonorum*. Thence I made myself pretty sure to gain my disbursement, but instead of which, he detains my whole demand, upon a groundless pretence, that the decree was unjust, which may be seen by the note No. 2.

As it is none of my business, either to enquire into it, or judge of it, I have sued him at law, in order to gain my disburs'd money; but, by all appearance; the court of justice at N — has no inclination to compel him to do it, since I have been able to do nothing for 3 months together.

I am therefore necessitated to crave your Lordship's juridical assistance, desiring you will be so gracious to grant a prescript may be sent to the magistrate at N — the contents to be, that they order Mr. A. — to pay me my demand, together with expences of about 5 Rd. without any further delay.

I need

I need not acquaint your Lordship's, that my conduct and accounts, can not be censured by another jurisdiction. Should Mr. A — make any objections, that I had not sufficiently attended to the contents of the power of attorney, or transgress'd it, or against my accounts, as then, after payment of my demand, I will submit myself to be either sentenced, or acquitted by this laudable court of justice.

I flatter myself with your Lordship's condescension to my request, remain with the most perfect obedience and esteem

My Lord's

Your Lordship's

Bremen 20th. Novemb.
1764.

most humble
and most obedient servant.

IV.

LETTERS - OF - ATTORNEY,

Letter 131th.

Being an answer to the 130th.

This day eight days, I answered your information of the bankruptcy of Mr. N — Since which am favour'd with yours, with the copy of his petition, and proposal of paying 10 per cent. His proposal is indeed very bad. I have scarcely corresponded a year, with him; I have scarcely gain'd a few hundred