



Crime and Punishment

Minety

Claims Court

Messrs Cripps' v William Thomas Perry Keene

Special Jury. – The plaintiffs in this action are Messrs Joseph Cripps, Frederick Cripps, and Raymond Cripps, who until very recently carried on business as bankers, at Cirencester. Now, however, they have retired, and the business is carried on by a joint stock Company, under the style of the Gloucestershire Banking Company.

The defendant is Mr Wm Thomas Perry Keene a gentleman who resides at Minety. The declaration was in special assumpsit upon a guarantee dated the 15th March 1839, whereby the defendant, in consideration that the plaintiffs would allow the account of Abraham Birch and Frederick Bullock to remain open, and that the plaintiffs would discount their bills, undertook to be responsible on their account, and for all balances due thereupon to the amount of £1000.

The defendant did not deny the fact of the guarantee, but alleged that on a given day the guarantee was waived by the plaintiffs, and that the account of Bullock & Co was not overdrawn beyond the sum of £85, which the defendant paid into court, and plaintiffs took out, in part of their claim.

A difficulty was felt by the litigating parties that their own version of the transaction could not be put into evidence, and at length it was determined to refer the case, and all matters in dispute, to Mr Bros, with power to him to examine the plaintiffs and the defendant.

Verdict accordingly for the plaintiffs, subject to a reference.

Bath Chronicle and Weekly Gazette 14 August 1845