

7.
is, ^avery innocent as well as lawfull Action but if under
Colour of such Distress a person comes & with a Felonious
Intent steals and carries away Goods the pretence of a
Distress will be so far from extenuating that it will
heighten the Offence since it is done in fraudem Legis &
the Law which is intended to preserve & to protect the
property of the Subject is thereby made a means to
destroy it.

A Felonious Intent is only to be proved from the Actions of
him who commits the fact and that such an Intention
actuated M^r. Bambridge in this extraordinary Seizure is
pretty apparent from the two following Circumstances
which attended it.

Turner the person employ'd by M^r. Bambridge as an
Appraiser (tho' a prisoner and creature of his own) yet
thought fitt humbly to represent to him that he had never
seen necessary Wearing Apparell Distrained before (as
indeed by Law it cannot) Upon which M^r. B. order'd -
him in taking the Inventory instead of setting down a
Gown & petticoat as the Thing really was to sett down
Silk sufficient for a Gown and petticoat and made use
in severall other Instances of the same Artifice, a
thing in itself so plain & flagrant that even ^{M^r} Bambridge
could not find out Evasion. But in that he was kindly
helped out by the Bench from whence in Summing up
the Evidence it was declared That the Appraiser's was
only an Idle Objection to which M^r. Bambridge gave
away meerly because he would have nothing left out
in the Inventory.

The other was this It was fully proved that M^r. Bambridge
carried