why the ffd Shipp with all her Tackle Gunns furniture and apparell as
also the boates & Sloopes afsd, should not be Condemned to be sold for the
payment & satisfacon of the Compts wages & the Costs & charges & other
Damages by them sustayned as afsd, and that they might be Releiued
here according to Equity and good conscience

And the ffd James Anderson and John Cape came also in their proper
p'sons in to Court here & by William Dent Gent. theire Prouratt offered
for answer to the Complaint afsd, that there was noe wages due unto the ffd
Compts untill they arriued at their second vnlouding port Whereupon it was
in open Court here this day proposed unto the ffd James Anderson and John Cape
that if they or any others for them or for and on the behalfe of the ffd Owners
of the ffd Shipp would or could produce & bring to this Court good & sufficient
security to bee approued of by this Court for the Loading of the ffd Shipp this
p'sent ffall of the Leafe to returne to her port in England with the Next
Shipps & to prouide the ffd p'ffs of Newsarryes of Coathes & prouisions and
secure them that they should receiue their Just and due wages when they
should arriue at their ffd port in England & satisfie & pay unto them the ffd
Compts theire Costs & damages here by them sustayned for the want of their
wages and the charges of this suite to be taxed and Computed by this Court
the ffd Compts would be willing to accept of the same without any further
dispute But the ffd James Anderson & John Cape declining to accept of
such proposition & refusing to give such security as was there by proposed
but insisting by their Councell that the ffd Shipp was not Lyable to satisfye
the ffd Comp'ts wages here and the Comp'ts Councell urging the contrary
& both parties vpon this issue demanding the Judgment of this Court
whether the ffd Shipp afsd is and shall be Lyable to satisfye for the Comp'ts
wages or not, This Court thereupon and upon Mature and serious
debate and Consideracon of the Matters and allegacons afsd & vpon
hearing what could bee offered and objected on either side This Court doth
think and soe order adjudge & by this theire Diffinitiue sentence Decree
that the ffd Comp'ts the seamen of the Shipp afsd bee paid & satisfyed their
seuerall just & due wages by and out of the Hull or bottome of the ffd Shipp
Anne of Newcastle her Tackle Gunns furniture and apparell to the
same belonging together also with their Damages & Costs and charges
by them sustayned laid out & expended by reason of their voyage into this
Prouince & stay here & the want of their wages And therefore it is hereby
ordered adjudged & Decreed that the ffd Shipp Anne of Newcastle and all her
rigging tackle apparell ammuncon and furniture with all the Boats &
Sloopes to the same belonging bee & by the Court here is Condemned to be
forthwith sold for the payment of the wages Damages & Costs afsd to be
ascertained computed and taxed by by this Court And to the end that
the true Value of the ffd Shipp Gunns Tackle apparell & furniture be may
bee knowne & that noe apparent injury may bee done to the Owners
of the ffd Shipp It is hereby further Ordered than assarrant to Andrew
Tomard, Thomas Gill, Robert Grafton, Thomas Boarman Shipp Carpenters
William Boxley and Robert Grundy Planters or any foure of them
well & truely to appraise & value the ffd Shipp with all her Rigging tackle
Gunns furniture Ammuncon and apparell with all her boates and
Sloopes or shallopes to the ffd Shipp belonging they first haueing taken
their Corporall oathes well and truely to appraise & value the same before
Edward Mann one of theire Maj'ties Justices of the peace of this ffd County
who is to be thereunto authorized and appointed to administer the ffd Oathes
to the appraisers afsd, And this Court being informed that the ffd James
Anderson and John Cape haue taken away sold concealed and imbezelled
seuerall of the sales rigging and other goods of and belonging to the ffd Shipp
soe as the sherriffe of the ffd County could not arrest the same when the ffd
Shipp was arrested By wch meanes the sale of the ffd Shipp will be very
much impeded & her Value Lessened Therefore and for the better

Discovery