

Thomas hebden demandeth of ffrancis otway chirurgeon 3ⁱ Liber P. R.
sterling due by bill for non pformance of a covenant for bring-
ing in certaine medicines

the Judge found no right to grant processe, in regard the
def^t pduced the deed it selfe, by w^{ch} the def^t was not bound to
any time for the doing it.

Rob^t Kedger (p attornat Ed: Packer) demandeth of John
dandy 300^l tob & cask, due by bill assignd from michael
Peasely of virginea.

warn: to Co^{rt} immediately without delay.

the def^t saith that he hath satisfied the bill by assignm^t

vpon Randoll Revell, accepted by Michael Peasely; &
prayeth time to prove it till next Court & was allowed vpon
pill of iudgm^t in default of prooffe on the first of Aprill next by
10^{cl} in the morn

vid infr: pag: 174.

1643

p. 146

March 2. John norman demandeth of Philip White mariner,
300^l of tob for the price of a canow, of the pl^{ts} lent to the def^t in
march last, or thereabout & not yet restored, & damage of the
want of it since.

the said Philip White denieth that he did borrow a canow of
the pl^{ts} at the time intended & consented that the pl^{ts} be ad-
mitted to his oath.

and the said John norman saith vpon his oath, that the said
Philip white at some time in march last or thereabouts, did pray
him to lend him his canow, & he willed him to take her; &
since that time he hath not his canow restored to him, and the
said Philip white being required to say vpon his oath, that he
did not at that time, nor after by vertue of that loane take or
make vse of the canow, nor did consent to any others vsing
it in his right, to his remembrance; refused to take his oath

whervpon the Judge found that the def^t was liable to resti-
tution; & adiudged that he should recover 150^l tob for the
canow; & exequution to be awarded for so much, in case the
said Philip White or some other for him shall not deliver to
the said Jo: norman a sufficient canow to carry 5. psons, some
time before o^r Lady day next.

8. the Sheriff brought afore m^r Secretary (authorised by the
L. G.) the body of John Wayvill in exequution at the suit of
marks Phaypo for 676^l tob. and returned that there was no
distresse of goods; whervpon the Judge committed him to the
sheriffs custody to be meinteined by the said Marks Phaypo, in