

that he did or hath refused to deliver to the said Cyprian the said goods & chattells as is alledged & this he is ready to averre, & for triall hereof he putteth himselfe vpon his country  
Tho: Cornwaleys. Liber Z.

Tho: Cornwaleys Esq &c. sheweth that he is Credit<sup>r</sup> to the estate of Jerome Hawley in 400<sup>l</sup> sterling; & for prooffe thereof prayeth his witnesses to be admitted and examined ad perpetuam rei memoriam; & that he may be allowed his debt out of the said estate. And produced a specialty vnder the hand of the said Jerome Hawley, of 400<sup>l</sup> sterling due to John Sims de Comit Soms<sup>t</sup> Esq whose assigne the said Tho: Cornwaleys was.

Copie of a deposition

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August 27. 1638.

m<sup>rs</sup> Eleano<sup>r</sup> Hawley widdow, and Thomas white Esq say vpon oath that whereas Jerome Hawley late of S<sup>t</sup> Maries Esq did by a bill of sale the seventeenth of december last, acknowledge himselfe to have received of m<sup>r</sup> John Sims of Pounsford in Comit Som<sup>ts</sup> foure hundred pounds sterling; Now these deponents say that the said debt of foure hundred pounds, was (after the contracting thereof) assigned and made over vnto Thomas Cornwaleys of S<sup>t</sup> Maries Esq who gave vnto the said John Sims, true and reall satisfaction therefore

This dep<sup>o</sup>on was taken by me                      Signed Eleano<sup>r</sup> Hawley  
John Lewger Secretary.                              Thomas White

wherevpon the said Thomas Cornwaleys was allowed to pay himselfe the said debt of 400<sup>l</sup> out of the estate of Jerome Hawley w<sup>ch</sup> was in his hands, after the debt of the Lo: Propieta:

August 27<sup>th</sup> 1638

John Medcalfe gent deposeth, that coming to John Smithson late of S<sup>t</sup> Maries planter deceased, lying then very sick, he asked the said John Smithson how he would dispose of his estate in case God should call him in that sicknes; and the said John Smithson answered this deponent in these words, All that ever I have (meaning in this Province) or shall have coming out of England, I freely give to my wife

John Metcalfe.

eod: die

william Lewis planter deposeth, that coming to John Smithson aforesaid the day afore he died, the said John Smithson among other discourse complained to this depon<sup>t</sup> that he should leave his wife a poore widdow; to w<sup>ch</sup> this depon<sup>t</sup> answering,