

Liber B. that the p<sup>l</sup>fe did not accept of him for paymaster, and desired respite till the next Court to make his proofes. It is Therefore Ordered that the further hearing hereof be respited till the next Court.

Upon the Motion of Colonell Francis Yardley for an Att<sup>a</sup> against the Estate of Cap<sup>t</sup> Richard Husbands Mariner upon an Accompt of 1347<sup>l</sup> of Tob: now produced with Damages and Court Charges. M<sup>r</sup> Edward Packer Attorney for the Said Cap<sup>t</sup> Husbands being now present in Court offered to Secure in his Custody Soe much of the Said Cap<sup>t</sup> Husbands Estate as Should be Sufficient to be answerable to the order of Court upon hearing of this Cause the Next Court or when the Same Should be appointed to be heard. Which he is ordered to doe accordingly.

William Cole p<sup>l</sup>fe } The defend<sup>t</sup> Henry Potter informing the  
Henr Potter & ux, defts } Court that his wife the other def<sup>t</sup> was Sick  
(whom the Matter Chiefly concerned) Craved reference till the  
next Court, which is ordered accordingly

p. 363 Thomas Bushell for his misbehaviour in Court being much in Drink is this day fined five hundred pounds of Tobacco and Caske to the Lord Proprietary.

1<sup>o</sup> April 1653. Execuc ad Satisfaciend July 21<sup>o</sup> 1653  
this fine was by the Governour remitted Tho: Hatton

William Smith p<sup>l</sup>t } Upon reading of Severall former orders  
Cap<sup>t</sup> W<sup>m</sup> Mitchell def<sup>t</sup> } made in this Cause. The Compts now Suit  
being for Certaine Goods by him Shipped in England for this  
place upon the defend<sup>ts</sup> account which were detained from him  
by the defend<sup>t</sup> as he alledged. To which the def<sup>t</sup> denyed that  
he ever had any Goods of the p<sup>l</sup>fes. And the p<sup>l</sup>fe being ready  
with his proofes the Matter in question was upon the defend-  
ants Motion referred to be tryed by a Jury And a Jury was  
accordingly impannelled for that purpose. But before any  
Charge Given to the Jury. Upon the defendants Motion (the  
p<sup>l</sup>fe agreeing thereunto) the Court thought fitt and it is  
accordingly ordered that the further hearing of the Cause be  
respited till the next Court, and the def<sup>t</sup> to have liberty by that  
time to Examine what Wittnesses he Shall thinke fitt (de bene  
Else) of whose depositions the Court will then either allow or  
disallow of as Shall be thought fitt. And the hearing to be then  
preremptory

John Sturman p<sup>l</sup>fe } The defendant not appearing being arrested  
Henry Bishop def<sup>t</sup> } upon the Compts Motion. It is ordered that  
in case the defendant Shall not by himself or his Attorney