

not able by his Labours to maintain himself, but is like to perish in these fforeign parts, unless by this Court he may be relieved in the premisses, Upon the reading of which Peticōn the Defd^{ts} Attorney in regard of the Defd^{ts} absence moved that the hearing of the Cause might be respited till the Defd^{ts} return, or that he might receive further Instructions from him, and offered to be answerable to the Order upon hearing out of his own Estate to the Value of 10000^l Tobacco if the Defd^{ts} Estate in his hands Should not amount to be Sufficient for discharge of what Should happen to be recovered, It is therefore upon his the Said M^r Cuthb^t ffenwick's motion and offer afores^d Ordered, that the further hearing of this Cause be respited till the next Provinciaall Court, to be held for this County of S^t Maries after Christmass next at the farthest, and then this Cause is to proceed to hearing preremptorily, but if the Defd^{ts} return be Sooner then till the next Court after Such his return, And that M^r Cuthbert ffenwick the Defd^{ts} Attorney Shall be lyable to Satisfie Such Order or Judgm^t out of his own Estate to the value afores^d (in Case the Defd^{ts} Estate fall Short thereof, as the Court Shall grant on the p^{ts} behalf in this Cause, And in the meantime the p^{ts} is at liberty to examine what witnesses he Shall think fit in the Seretary's Office, where the Defd^{ts} Attorney may Cross examine any of them if he thinks fitt.

Liber B.

ffrancis Brookes
and his wife P^{ts}
Capt Willm Mitchell Def^t } Upon the Motion of M^r Cuthbert ffen- p. 177
wick the Defd^{ts} Attorney the hearing of
this Cause is respited till October Court
next, unless the Defd^t return Sooner and then till the next
Court after his return, And then the hearing to proceed prer-
emptorily.

Thomas Ashbrook p^{ts} } The p^{ts} Suit being to have an account
Nathan^{ll} Hunt Def^t } from the Defd^t of two hogsheds of To-
bacco which the Defd^t had received of the p^{ts} for Satisfaction
of 596^l Tob, and it appearing to the Court upon reading of
the Defd^{ts} Oath taken in this Cause that he had received 46^l of
Tobacco of the p^{ts} more then was due to him, It is therefore
Ordered that the Defd^t Shall pay unto the Complayn^t the Said
fforty Six pounds of Tobacco and Cask unless he the Said
Defd^t Shall, by the last day of this Court Shew good Cause to
the Contrary. There is noe cause Shewed to the contrary
thereof this being the 7th day of November 1651.

ffrancis Brook Attorney
of Henry Morgan p^{ts} } The Complayn^t as Attorney of Henry
John Wade Chirurg Def^t } Morgan Sues to be relieved for 300^l of
Tobacco and Cask or more due p bill
and the Defd^t confessed he gave bill but knoweth not of what