

Wednesday 6th of Octobr 1658.

Liber
P. C. R.
Oct. 6

P^{nt.} Josias ffendall Esq^r Gou^e } Coth John Price
Philip Caluert Esq^r Secret^e } M^r Job Chandler
Cap^t Will^m Stone } M^r Baker Brooke.

Vppon the demand of Thomas Mathews the p^{ffs} Attorney for 3637^t Tob. The dēfts Attorney Philip Land acknowledgeth th^t there were accounts betweeue the p^{ff} & the dēft, & alleageth th^t the dēft payd Seauen hogsheads of Tob, & putt them on board M^r Webbers ship, towards the paym^t of that Debt, & produced the Depos^{ns} of Will^m Cornelius & Robert fford who make oath that the Tob. weighed one Thowsand, Eight hund^d & fifty grosse. Allen v.
Overzee

The Deposⁿ of Will^m Cornelius Mariner Aged 34 yeares or thereabouts sworne & examined the 16th day of June 1654 Sayth That about the middle of ffebruary the depon^t went in a Sloope of M^r Symon Ouerzee merch^t of Virginia, & was by him Ordered to goe aboard Cap^t Thomas Webber lying then in S^t Georges Riuer, in the Prouince of Maryland, Where hee did meete wth the s^d Ouerzee aboard the s^d Ship, & by his Order unloaded Seauen hogsheads of Tob. out of the Sloope, into the Ship. And then the Depon^t did heare the s^d Ouerzee aske of Cap^t Thomas Webber afores^d whither hee had order of M^r Will^m Allen to receaue some Tob of him. And the s^d Webber gaue for answeere hee had, & betweene M^r Ouerzee & Cap^t Webber they opened the Tob. & Webber did receaue ffowre hogsheads & refused Three. Whereuppon the s^d Ouerzee went ashoare to Cap^t Will^m Stone wth the Depon^t & finding M^r Will^m Allen there told him That his Master had receiued ffowre hogsheads of Tob, & refused Three more, & requested the s^d M^r Allen to goe & looke uppon it himselfe, But M^r Will^m Allen did make an excuse to goe att th^t time. But the Depon^t heard him say, hee would goe th^t weeke & looke uppon it, & if it proued merchantable he would take it: But if not hee must take it back againe, Since th^t time yo^r Depon^t was seuerall times aboard the s^d Webber's ship. And by Order of M^r Ouerzee did enqyre about the Tob, The master not being aboard the Seamen told the Depon^t that M^r Allen hath looked uppon the Tob, & gyuen order th^t it should be stowed away, w^{ch} accordingly it was done. But yo^r Depon^t cannot iustly remember the weight of the ffowre hogsheads receaued by Cap^t Webber, But as hee well can remember was about Eighteene hund^d & odde powns of Tob. grosse, & further sayth not.

Robert ffoord aged 40 yeares or thereabouts, Sweareth the same, p. 106 and moreouer th^t hee uery well remembers the weight of the Tob, & weighed Eighteene hund^d & fifty powns grosse

It is Ordered that (the Tare being deducted & there remaying 1465^t) the dēft pay unto the p^{ff}, 2172^t, Tob, the Remainder of the s^d demand.