

bee decyded It is Ordered that the p^{ff} haue Extent agst the Land whereon hee wrought att Greens Rest for ffowre hund^d & seauen p^{ownds} of Tob, as is demanded.

Liber
P. C. R.

To the hon^{ble} the Leiuten^t & Councell of Maryland &c:

Hewes v.
Stone

The humble Petⁿ of Will^m Hewes Sheweth That from the Seauenth day of ffebruary 1651 untill the 22th day of Aprill yo^r Pet^r employed his whole labo^e in setting up the Wind-Mill att S^t Maries, & tending & looking to, & grinding in it after it was soe sett up by him. To the performance of w^{ch} worke yo^r Pet^r was encouraged by Cap^t Will^m Stone, the then Gouverno^r of this Prouince who hyred yo^r Pet^r to th^t intent, promising him due paym^t for his s^d labo^e about the same employed. And further yo^r Pet^r sheweth how th^t the s^d Cap^t Stone payed all the other workemen & defrayed what other charges incurred. And yo^r Pet^r not only remains unsatisfyed, but left to seeke his due, by course of Law much to his hinderance hee hauing bene a long time out of his Tob, & suffered much for want thereof, hauing or possessing little but what hee geets by his hard labo^r & industry. And though Cap^t Stone hath alleaged th^t the Mill did belong to Cap^t Gibbons, & th^t hee hath gyuen an account of the s^d Gibbons Estate, & therecuppⁿ discharged, yett hee doth conceiue th^t noe stoppage can be putt thereby uppon his labo^r, when as Cap^t Stone himselfe only hyred him, sett him on worke, & promised him paym^t for the same: neyther did yo^e Pet^e make or mention any bargaine att all wth Cap^t Gibbons att his comming up hither concerning th^t mill, but wholly relyed & depended on Cap^t Stones paym^t, by uertue of his s^d promise & engagem^t wth him

p. 208

His humble request is th^t this hon^{ble} Court will consider of the premises & allow him satisfaction according to equity, & hee shall pray &c:

The dēft denyeth th^t he engaged to make the p^{ff} satisfaction for his labo^r, only as imployd by Cap^t Gibbons. & the p^{ff} not making prooffe of what is alleaged in his Petⁿ, concerning such engagem^t made wth the dēft. The dēft craues an nonsuite w^{ch} was Graunted.

The p^{ff} being called, & not appearing to prosecute, The dēft craueth a Nonsuite, W^{ch} was graunted wth Costs of suite.

Martin Kirk
v. Cap^t
Nicholas
Gwyther

Vppon this suite, w^{ch} was respited the last Court.

Marke Pheypo sworne sayth, th^t soone after this Steare now in question was killed, this Depon^t & the p^{ff}, being att the dēfts howse, they ueiwed the hide of the Steare then killed (because this Depon^t then wanted a Steare of his owne) And further th^t hee then told the dēft, th^t th^t Steare was none of his. And the p^{ff} instantly replied

Barnaby
Jackson v.
Cap^t Will^m
Stone