

by yo<sup>r</sup> Pet<sup>rs</sup> want of th<sup>t</sup> Tob th<sup>t</sup> yeare, being uery deare & yo<sup>r</sup> Pet<sup>r</sup> shall pray &c: Liber  
P. C. R.

Whereas there appeares an account under the hand of Cap<sup>t</sup> Miles Cooke for fiue hund<sup>d</sup> twenty seauen pownds of Tob. p. 240

The Judgm<sup>t</sup> of the Court is, th<sup>t</sup> Cap<sup>t</sup> Husbands summe Cap<sup>t</sup> Cooke before Philip Caluert Esq<sup>r</sup> Secretary of this Prouince, to giue a satisfactory answeare, how th<sup>t</sup> account was satisfiied, And both p<sup>t</sup>ies to stand to his arbitraõn or iudgm<sup>t</sup>. Vid. fol. 265

This suite being on a Respite ordered the last Court the Dēft produceth these other wittnesses, & the former allso according to th<sup>t</sup> former Order to be sworne Viue uoce att this Court. Mr Raph  
Crouch v.  
M<sup>rs</sup> Jane  
ffenwick  
Vid. fol. 175,  
et seq.

Humphrey Warren deposed sayth That about this time two yeares, hee saw M<sup>r</sup> Starkeys Mare, & Two stone Colts following her, The one being about an handfull lower then the other, & allmost of one colour, Only the lesser was more bay, & th<sup>t</sup> hee uerily beleiueth th<sup>t</sup> the horse now in dispute was one of those Colts, th<sup>t</sup> this Depon<sup>t</sup> saw following the fores<sup>d</sup> Mare.

Leiu<sup>t</sup> Thomas Trueman sayth, th<sup>t</sup> hee tooke up M<sup>rs</sup> ffenwicks Mare att S<sup>t</sup> Maries, & kept her up in M<sup>rs</sup> Stone Calfe pasture, And M<sup>rs</sup> Stone riding to Mattapanian tooke the s<sup>d</sup> Mare, & left her Colt behind, & comming home againe, the Colt was gone out of the pasture, And th<sup>t</sup> this Depon<sup>t</sup> stayd two dayes for the Colt, w<sup>ch</sup> returned not, & thereuppon this Depon<sup>t</sup> brought the mare up to M<sup>rs</sup> ffenwicks Plantaõn w<sup>th</sup>out the Colt, & cannot say th<sup>t</sup> the horse now in dispute bee th<sup>t</sup> Colt or not.

John Biggers Dep<sup>n</sup> Vid Suprà fol. 176

Will<sup>m</sup> Innis dep<sup>n</sup> Vid. suprà fol. 177.

Rob<sup>t</sup> Mackay sayth That hee this Depon<sup>t</sup> hath beene Groome to some Greate p<sup>ersons</sup> both in Scotland & England for the space of six yeares & being desyred by the dēft to looke in her Roand horse mouth, Doth declare th<sup>t</sup> the s<sup>d</sup> horse is fiue yeares old, In case th<sup>t</sup> horses follow the same course in this Country as they doe in England.

Thomas Gerard Esq<sup>r</sup> doth declare uppon his owne knowledge th<sup>t</sup> the same markes, th<sup>t</sup> was the rules in England, by experience this Depon<sup>t</sup> doth find to bee true in this Country, & being intreated by M<sup>rs</sup> ffenwick to looke in her Roand horse mouth, did, & doth thereuppon declare th<sup>t</sup> the s<sup>d</sup> horse is fiue yeares old this grasse

Tho: Gerard.

John Bogue, Sayth, That on the first of ffebruary last hee this Depon<sup>t</sup> did goe w<sup>th</sup> the dēft to New-Towne to a Court & there meeting w<sup>th</sup> M<sup>r</sup> Mathews, this Dep<sup>t</sup> heard the dēft say to M<sup>r</sup> Mathewes, th<sup>t</sup> now shee had gotten further euidence concerning her