

was to pay him for it, 400^t Tob, & a hogge. And did after come againe, & Ordered him to deliuer soe much goods to Zachary Wade, for the use of Thomas Allen, as came to 268^t Tob, w^{ch} hee did. But this Depon^t hearing a Rumour in the Ship, concerning a hogshead of Tob, not of his marke, w^{ch} came from Elizabeth Potters (There being allso one other hogshead brought from thence att the same time) caused it to bee sett apart. After the s^d Elizabeth came againe on board, & saw the weight of the Two hogsheads, & thereupon came to a Ballance wth this Depon^t, And soe hee receiued both those Two hogsheads, as his owne, & caused that hogshead afore sett by, to bee stowed away.

Liber
P. C. R.

The Judgm^t of the Board is, That the dēft haue Judgm^t agst the p^{tf} for a hogshead of Tob. And th^t Cap^t Cooke (who hath this hogshead of Tob, in dispute, w^{ch} came on board markt wth the p^{tf}s marke) restore th^t hogshead againe to the p^{tf}. And th^t Cap^t Cooke haue this Judgm^t of Court assigned him ouer by the p^{tf}, whereby to recouer his due agst the dēft. And soe ordered accordingly.

And the p^{tf} doth thereupon assigne ouer this Judgm^t to Cap^t Miles Cooke, in open Court. Exeqⁿ issued imediate to the Sheriffe of S^t Maries County agst the dēfts Estate for 400^t Tob.

Vpon the demand of the p^{tf} for Twelue hund^d pownds of Tob & Caske, according as is specifyed in the dēfts Bill, produced in Court.

Cap^t Miles
Cooke v.
Rich: ffoster

The dēft acknowledgeth his s^d Bill, & confesseth Judgm^t unto the p^{tf} for the s^d Summe of Twelue hund^d pownds of Tob & cask, according to his Bill.

Vpon the demand of the p^{tf} agst the dēft, for One Thowsand seauen hund^d, sixty one pownds of Tob. & Cask due by Bill The dēft acknowledgeth the Debt, & Confesseth Judgm^t to the P^{tf} for One Thowsand seauen hund^d, sixty, one pownds of Tob & cask, according to his s^d Bill

Cap^t Miles
Cooke v.
Humphrey
Attwicks
Vid. fol. 363

Vpon the demand of the p^{tf} for 2000^t Tob. due by Bill, unto the Estate of Beniamin Gill deceased, the p^{tf} being Adm̄istrato^r to that Estate. The dēft sayth th^t hee satisfied the last year 819^t Tob. of that Debt.

William
Bretton p^{tf}.
Edmund
Lindsey
deft.

And further allegeth th^t hee is wrongfully sued, by the p^{tf}, hee taking out Writt not as Adm̄istrato^r, but in his owne name, & therefore came not prouided to answere to th^t claime. And desyreth th^t it bee referred to a Jury, w^{ch} was graunted. All the former Jury (Except Daniel Clocker, loco M^r John Ashcomb) The Judgm^t of the Board is, That an Adm̄istrato^r may sue in his owne name. And the Juray hauing Considered, Returne their Verdict. Wee ffind for the p^{tf} the Remainder of the Bill (Viz) Eleauen hund^d Eighty one pownds of Tob. & Cask.