

To the hon^{bte} the Governo^r & Councill &c:

The humble Petⁿ of Will^m Battin humbly Sheweth, That Richard Smith was employed by yo^r Pet^r in the yeare 1659 to procure seruants in England to be transported into this prouince for yo^r Pet^{rs} use, & was allowed Sallary for the same, as it may appeare by seuerall sumes of moneys receiued during his abode both in this Prouince & England. But hauing shipped the seruants aboard M^r Haskeynes tooke their Indentures in his owne name (notwthstanding yo^r Pet^r undertooke for the transport of himselfe & seruants soe shipped) & hath contrary to the ffayth reposed in him, disposed of the s^d Seruants. And yo^r Pet^r then being not in Bristoll, att the discharge of the ship, could not perfect his Acc^{ts} wth the s^d Master. By w^{ch} meanes the s^d Master attacht the Tob, w^{ch} was given for the s^d Seruants. Whereuppon yo^r Pet^r is much damnified in the Contract betweene the s^d Master & himselfe, W^{ch} was To pay for the transport of a seruant att Bristoll 5^l, 10^s, or att the returne of the Ship 7^l, 10^s, or in this Prouince 800^l of Tob. & Cask. All w^{ch} Contract & agreem^t was made uoyd, by the s^d Smith in the indirect sale of the s^d Seruants as by the deposⁿ of the s^d M^r Haskeynes may appeare. further the s^d Smith is indebted to yo^r Pet^r 19^l, 18^s, 6^d, 800^l Tob & Cask & 13 armes length of Roanoke as p^r Acc^t may more att large appeare.

Liber
P. C. R.
Battin v.
Smith

p. 362

May it therefore please this hon^{bte} Court to Order That the s^d Smith make satisfaction for the dammages soe by yo^r Pet^r susteyned in the sale & indirect disposeure of his seruants, & pay the aboues^d Acc^t, wth Costs & Charges of suite & hee shall pray &c:

This Cause being sent up from the County Court in Charles County to this Prouinciall Court. The dēft, by his Attorney M^r James Langworth, denyeth whatt is alleaged in the Petⁿ & willeth the p^{lf} to make prooffe of the same. And uppon reasoning the Case on both sides The Board putt the same to a Jury, Who returne their Verdict. Noe Cause of suite.

To the hon^{bte} the Governo^r & Councill &c:

The humble [petition] of Sampson Waring Sheweth That whereas John Waghop hath uery much trespassed yo^r Pet^r by uniuistly paying away & disposing of a hogshhead of Tob, belonging to yo^r Pet^r to the ualew of 386^l as hee can iustly make appeare. Yo^r Pet^r humbly Craueth satisfaction from the s^d Waghop wth damages & Costs of suite, & he shall pray &c:

Waring v.
Waghop

Vppon the demand & Petⁿ of the p^{lf} the dēft sayth, That that hogshhead of Tob was rotten, or damnified, & lay to & agen about the Tobacco howse; neyther tooke hee any care of, or concerning it, Imagining that the p^{lf} did soe likewise.