

Liber
P. C. R. That M^r Haggett deliuered unto M^r Wade a bill of one thousand pounds of tobacco and that the said Wade was to deliuer in a Condiçõn of one Robert James from M^r Bancks which the said Wade had . . . a way And that the . . . due . . .

p. 700 Thomas Wentworth of the said County and Province Gent sworne and Examined in open Co^{rt} sayth that M^r Haggett deliuered unto M^r Wade a bill of one thousand pounds of tobacco and that M^r Wade did promise to bring up a Condiçõn and to beare the said Haggett harmeles from his father in lawe M^r Bancks as soone as he retourned up againe And that in their discourse Robert James alleadged that he was unwilling to goe downe to M^r Bancks because he the said James had dealt soe . . . teously by him And that he had Run away and taken Cloathes away from the said Cap^t Bancks and soe upon that Accompt desired M^r Haggett to pass his . . . to M^r Bancks for one thousand pounds of tobacco and further sayth not

The def^t alleadgeth that he the said James was indebted unto his father in Lawe Cap^t Bancks to the vallue of Eight hundred pounds of tobacco which the said James had receiued in parte of payment for his wages from the said Captaine Bancks in Cloathes and other things to the said vallue and further alleageeth that he apprehended the said James as his father in Lawes Seruant and not as a Felon.

The p^{lt} desireth the Board to take notice that the def^t Confessed to haue apprehended the said James as his father in Lawe his Seruant and Consequently had noe power to all the said Seruant without an Assignment of the said Seruant Condiçõn from his father in Lawe unto him or power by way of a letter of Attorney to all the said Seruant or to Acte in all things in his absence as if he were personally p^rsent All which power y^r Orato^r dares boldly say the said M^r Wade was destitute of and therefore the said Seruant could not be yo^r orato^{rs} by reason the said Bancks if soe it had pleased him might haue made him over unto any man and noe man had power to thwart the same and after the said Wade retourned from S^t Marys ward he did not according to his promise deliuer unto yo^r Orato^r the said seruants Condiçõn and when he the said James, run away, (if in case yo^r Orato^r had used his utmost endeauor for the . . . of the said Seruant he was disenabled and . . . had noe power and therefore could . . . and crye as other Wherefore it is ordered that the said Haggett should haue in his Bill and that M^r Wade pay the Cost and Charge of Suite

p. 701

Geo Thompson Ctk.

The def^t appealeth to the Provinciaall Co^{rt}

Vide pet.
fo: 498 The p^{lt} Assigns Error in Judgement that the said Humphrey Haggett did sue the p^{lt} for the deliuey of a Bill, which bill was made for the payment of the tobacco vnto Richard Bancks of Popler Hill and not to the p^{lt}, Rehearing is assignd the first day of the next Co^{rt}

William
Bushell v.
Thomas
Dent

this Cause is respitted whilst next Co^{rt}