

transferred to be fully tryed in this Court before the Hon^{ble} Gou- Liber B B
 erno^r and Councill Wherefore it is the humble desire of yo^r pet^r that
 if the said Caruer doe not make appeare his lawfull purchase of the
 said ffrygott, that yo^r Honno^{rs} will be pleased to Order that the said
 Caruers Attorney that hath bayled the aforesaid ffrygott which was
 att my suite arrested here doe deliuer unto yo^r pet^r his said ffrygott
 wth such Costs and damāges as yo^r Honno^{rs} shall thinke ffitt And yo^r
 pet^r shall as in Duty bound euer pray &^c—

The defend^t by his Attorneys Craues a Iury The p^{ft} by his Attor-
 ney denyes a Iury cann bee allowed this being now a Court of Ad-
 miralty the def^{ts} deny that, it being att Co^mon Law and matter of
 fact withall producing that Act of Assembly that in any Case a Iury
 cannot be denied therefore still urgeth thereon—

The p^{ft} then desires a respite till next Prouin^{all} Court pretending
 hee wanted some of his wittnesses—The def^{ts} desires that as he is p^{ft}:
 he may not nor ought not to haue respite it being the p^{ts} part allwayes
 to Come provided—

Put to the uote whither they should immediately proceed to tryall [p. 397]
 and grant the def^{ts} a Iury, or the p^{ft}: a respite wanting his wittnesses
 M^r Baker Brooke that Henry Hudson being as p^{ft} ought to come
 provided, wth his wittnesses therefore to proceed to tryall

M^r Jerome White a Respite—

The Chancello^r the same wth M^r White—

Wherefore Ordered that this Cause be tryed by a Iury and that
 Henry Hudson haue time till the nex^t Prouin^{all} Court and further to
 the end of the Six months (within which time Isaack Bedloe is bound
 to produce the said ffrygott) to bring his testimony now wanting for
 prooffe in his Cause and that in the Interim (that is to the end of the
 aforesaid six months) the said Bedloe haue liberty to employ the said
 uessel, And further that uppon receipt of his Testimony from New
 England or other parts, he the said Henry Hudson shall demand and
 procure timely summons to be sent to the said Bedloe or his Attor-
 neys to appeare at this Court then next to be held that all partyes and
 also a Iury may be provided—

The Hon^{ble} Leiu^{ten}n^t Generall acquaints the rest of the Councill
 that he was informed of a Certaine Sloop Called the red sterne One
 Jacob Backer Merchant and Came into this Prouince to trade Con-
 trary to an Act of Parliament Entituled an Act for the encouraging
 and encrease of shipping as allsoe to that Act Entituled an Act for
 the encouragem^t of trade, upon which informa^{co}n hee had Caused
 the said sloop to be seized and kept in Custody, desireing now they
 may proceed to tryall whether forfeited or not according to the aboue
 named Acts—