

Liber A Court sayeth that M^r Haggat deliuered unto M^r Zacharie Wade a bill of one thowsand pound of tob : and that th^e s^d wade was to deliuer in a Condition of on Robert James from M^r Banckes which th^e s^d [p. 141] wad had Apprehended as Runaway and that the sayd bill was past for the saruice dew to Capt : Bankes and further sayeth not :

Thomas Wentword of the sayd Countie and Prouince Gent sworne and examined in open Court sayeth th^t M^r Haggate deliuered unto M^r Wade a bill of one thowsand pounds of tob : and that M^r Wade did promis to bring up a Condition or to saue the sayd Haggate harmeles from his father in Law M^r Bankes as soone as hee returned up againe and th^t in th^{er} discoors Robert James alleged th^t hee was unwilling to go downe to M^r Bankes because hee the sayd James had delt so discourteously by him and that hee had run away and taken Cloathes away from the sayd Captaine Bankes and so upon that account desiered M^r Haggat to pas his bill to M^r Bankes for one thowsand pounds of tob : and further sayeth not

The defendant alleageth that hee the sayd James was indebted unto his father in Law Capt : Bankes to the valew of eight hundered pounds of tob : which the sayd James had receaued in part of payment of his wages from the sayd Capt Bankes in Cloaths and other things to the sayd valew and further alleageth th^t hee apprehended the sayd James as his fathers in Law seruant and not as a fellow

the Plantiue desiereth the board to take notis that the defendant confessed to haue apprehended the sayd James as his fathers in Law saruant and Consequently had no power to sell the sayd saruant without an assignement of the sayd saruants Condition from his father in law unto him or power by way of a letter of Attorney to sel the sayd saruant or to act in all things in his absence as if hee wer personallie presant : all which Pouers your Orator dars boldly say the sayd M^r Wade was destitute of and thearfor the sayd saruant could not bee accounted y^r Orators by reson the sayd bankes if so it had pleased him might haue mad him ouer unto any man and no man had power to thwart the same and after the sayd Wade Returned from S^t Maries ward hee did not according unto his promis deliuer unto your Orator th^e s^d Saruants Condition and when hee the sayd James Run away if in case your orator had used his utmost endeuor for the recouering of the same saruant hee was disenabelled and why because hee had no power and thearfor Could not prosecute him by way of hew an Cry as other men do their saruants

Whearfor it is ordered that the sayd Haggat shoold haue in his bill and that M^r Wade pay the Cost and Charge of suit :

John Neuill Plantiue }
 William Robisson Defendant } The Plantiue Aresting the defendant
 in an action of the Case Prefereth his
 Petition as followeth