

This Cause being respited last Court the def^t alleading he could produce sufficient discharges, which were now counted insufficient discharges for the Satisfaction of the said debt, judgm^t for the p^t with costs. Liber FF

The Court adjourned till two of the Clocke in the afternoone.

The Court all meet as in the morning.

Cuthbert Witham ag^t } Jenifer p̄ quer
Jonathan Sibrey } Calvert p̄ def^t

Ordered that the difference in Controüsie be respited untill friday morning next being the fifth instant.

Ordered that On friday next in the afternoone M^r Thomas Spriggs Pattent be viewed by the Court and then the same be determined whether it be in his Lōpps Mannour of Ann Arrundell.

Eliz: Story adm^{rx} Walter Story } Morecroft p̄ quer
ag^t Samuel Tilghman } Jenifer p̄ def^t

The plaintiff as adm^{rx} of Walter Story Sues the def^t for divers parcells of Goods and merchandize being by One John Long of London Merchant Shipped On board the Shipp Constant Freindshipp the def^t being then Comander, which said Goods were Consigned to be delivered to John Emerson and the said Walter Story or their assignes the said Emerson and Story dying at sea the plaintiff demands as assignee of the said Walter

And the said Samuel by Daniel Jenifer his Attorney comes and defends the force and injury when &c and Saith that he is no wise Guilty of the premisses above imposed upon him for that the said Elizabeth herein is no assignee in Law to the said Walter and that the said Goods being joyntly consigned to the said Walter and the aforementioned John Emerson who deceased since the death of the said Walter became thereby invested with the property of the said Goods as Survivor to the said Walter therefore the said Samuel Saith he is not bound or Obliged to deliver the said Goods to the said Elizabeth and of this he putts himselfe upon the judgment of the Court and the said Elizabeth likewise.

The judgment of the Court is that the plaintiff hath no Right or title to the abovesaid Goods in question, but that the same be disposed off as the said Samuel Tilghman Shall thinke best for the most advantage of the said John Long, and the said Courts advice to the said Samuel herein was that since he hath so carefully Secured the said Goods in the hands of M^r Thomas Notley a responsible person who did acknowledge in Court to haue the said Goods in his custody and that as it was desired by the said Long in his Letters