

Liber C Whereupon th<sup>e</sup> Plaintife arresting th<sup>e</sup> Defend<sup>t</sup> in his a<sup>o</sup>n of th<sup>e</sup> Case preferreth this ensueing Declara<sup>o</sup>n (viz<sup>t</sup>)

The Plaintife Declares ag<sup>t</sup> th<sup>e</sup> Defend<sup>t</sup> in an action of th<sup>e</sup> Case for that th<sup>e</sup> Plaintife having demanded his freedome is denyed the same together w<sup>th</sup> his Corne, and Cloathes

The Premises Considered th<sup>e</sup> Plaintife humblie Craveth ord<sup>r</sup> of C<sup>rt</sup> from th<sup>e</sup> Wor<sup>pl</sup>e Co<sup>m</sup>ission<sup>rs</sup> in Charles Countie together w<sup>th</sup> Costs and charge of suite And &c.

Whereupon the Defend<sup>t</sup> entereth this Plea that he bought th<sup>e</sup> Plaintife of M<sup>r</sup> David Warren and M<sup>r</sup> Francis Whittington for 10 yeares but acknowledgeth he hath noe Indenture to testifie th<sup>e</sup> sale

[p. 96] The Plaintife therefore in Confirma<sup>o</sup>n of his said Declara<sup>o</sup>n humblie requesteth that his evidences may be sworne w<sup>ch</sup> was graunted

Robert Henley sworne in open C<sup>rt</sup> saith That he was at M<sup>r</sup> Hatch his house where M<sup>r</sup> Warren and M<sup>r</sup> Whittington kept store, and was Chafering w<sup>th</sup> him for a Serv<sup>t</sup> w<sup>ch</sup> he bought of him, and th<sup>t</sup> he had promised another to M<sup>r</sup> Hatch w<sup>ch</sup> afterwards he coming to me told me If I would I might have him I asked him how Long he had to serve and he replied seaven yeares and this Depon<sup>t</sup> further saith not.

Francis Jenkin sworne in open C<sup>rt</sup> saith That Japheth Griphin demanded his freedome the 15<sup>th</sup> of November last this present yeare 1666 together w<sup>th</sup> his Corne, and Cloathes and M<sup>r</sup> Hatch said that he had 3 yeares more to serve, and this Depon<sup>t</sup> further saith not

Hereupon th<sup>e</sup> Defend<sup>t</sup> prayeth that James Johnson might be sworne in his behalfe w<sup>ch</sup> was graunted

James Johnson sworne in open C<sup>rt</sup> saith That M<sup>r</sup> David Warren, and M<sup>r</sup> Whittington kept store at M<sup>r</sup> Hatches house, and M<sup>r</sup> Hatch did aske of M<sup>r</sup> Warren whether he or me should have th<sup>e</sup> Boy Whereupon M<sup>r</sup> Francis Whittington said unto David Warren th<sup>t</sup> M<sup>r</sup> Hatch had th<sup>e</sup> best tobaccoe of anie one thereabout Whereupon M<sup>r</sup> Warren said That M<sup>r</sup> Hatch should have him sooner then anie one besides; Soe M<sup>r</sup> Hatch demanded how long he had to serve, and th<sup>e</sup> said M<sup>r</sup> Warren told him as long as he pleased for th<sup>t</sup> matter for I brought him saith he from his freinds, and they desired me to put him of for as Long time as I pleased either for 12, 14, or 20 yeares; whereupon M<sup>r</sup> Hatch replied That he would have him but for 10 yeares, and soe M<sup>r</sup> Warren told him he should have him, and agreed w<sup>th</sup> the s<sup>d</sup> M<sup>r</sup> Hatch for th<sup>e</sup> price and this Depon<sup>t</sup> further saith not.

[p. 97] The Defend<sup>t</sup> Subpaen<sup>as</sup> Marmaduke Lindsey and Cuthbert Musgrave in open C<sup>rt</sup>

Marmaduke Lindsey sworne in open C<sup>rt</sup> saith That th<sup>e</sup> Plaintife was brought home by hue and crye, and th<sup>e</sup> Defend<sup>t</sup> discoursing to him concerning his time not being out said unto th<sup>e</sup> Plaintife how nowe M<sup>r</sup> Runaway to w<sup>ch</sup> th<sup>e</sup> Plaintife replied That he did not run