

Liber M M The said Robert Carville being duly sworne saith that about Aprill or May or June 1672 the positive time this Depon^t Cannot Remember the said Henry Phipps Came to this Depon^{ts} Chamber for advise in Relacōn to some freight he tould me he had taken on board the good ship Called the Convertine Cap^t Young Comand^r, w^{ch} M^r Thomas Dent p^rtended he had by ord^r of M^r Thomas Mathewes of Cherry Pointe in Virginia authority to let out, freight for 50 or 60 hdds w^{ch} as he told me lay ready Rec^d by Thomas Marsh, in Ann Arundell & Baltamore County as Attorney of Edward Maynard Deceased & Youngs seamen was to fetch the Tobacco on board that the freight agreed on was as he tould me to this Dep^ts best Remembrance 7^t 10^s p Tunn, that M^r Phipps told to this Dep^t he gave to M^r Dent a noate on M^r Marsh to Deliver the Tobacco by him Rec^d and that he had given ord^r to M^r Marsh without a noate und^r his hand not to Dispose of it M^r Phipps told me M^r Dent had given the Noate to Cap^t Young & he to his seamen that went up the Bay that the Seamen had lost the noate & yet Demanded the Tob of M^r Marsh w^{ch} he did not pay That it was demanded the second going up by the Seamen but for want of a noate M^r Marsh would not pay it, M^r Phipps told this Depon^t that he Never Knew of the losse of y^e noate till after the second Demaund by the seamen, and that he had offered another noate on M^r Marsh, to supply his agreem^t of freight but that was Refused then for that as he alledged they had got a better Rate for freight and brought to their shipside, My advise was that if he would pve M^r Dents power to let freight & other thinges he then alledged to me he might have a good accōn ag^t M^r Dent, M^r Phipps so by me Resolved, goes as this Dep^t supposes to D^r Morecroft and advises about the same Case, and informe[s] this Dep^t that he was advised that their would be no Cause of accōm ag^t M^r Dent for want of a Charter pty for y^t it would appeare Nudum Pactum but that he must sue Young, this as neare as this Depon^t Can positively Remember is the substance of the Discourse this Depon^t had wth M^r Phipps at that time and this Depon^t further saith that some short time after M^r Phipps Complayning that Young was gone, and he Could have no Redresse and the Tobacco was like to ly on his hands, and that he had by Letters acquainted S^r William Davison his Employor that he had shipt Tobacco on Young my advise was that he should ship the same in some other ship and thereupon M^r Phipps as this Depon^t beleeves did Desire this Dep^t if he heard of any freight to be let in Patuxent to give him Notice, and that accordingly one Winder Coming in about the Latter End of June or beginning of July for freight Only as this Depon^t supposes, This Dep^t from Cap^t Perrys sent notice to M^r Phipps of the same who Came thither, and Cap^t Pery Designing then to goe in the sd ship offered to pcure freight for him at the same Rate he had agreed with Winder for and if he would Consigne