

June 10th 1691.

said Timber, that it now to be seen which will make no more than four five or six boards a foot. a palleten of four of white pines is brought by the Defendants James & Erce to the Court to be viewed if their words please — And the Defendant saith and further now to saith not. Samuel Hopkins Junio. sworn to a Defendant in Court

And the subscribers have being requested by Samuel Hopkins Junio to inspect one view 74: pines of Cyprus timber white timber the sd Hopkins as was sent him by Walter Taylor or his Broker, we do hereby certify that we have known severall persons whom the sd Hopkins doth or may concern, that we have cautiously, carefully & sedulously viewed compared inspected, compared and calculated the said timber, and in having so done we do evidently find and discover as followeth. First. That all and wholly the sd timber is the product of very large or great trees, which have made coniferous stuff, that is to say heart beate pines of both kinds biggest and to 2^{dly} that four of summer of the said sappy pines is just answerable and equivoalent to three other of the said sappy pines by weight trial and distobery it is demonstrative enough that some of the said heart beate pines have been made after another manner or dimension and into more pines than some other pines have been. 3^{ly} we do find by comparing suiting and laying together the sd biggest heart pines, with the sd biggest of the sappy pines, that one heart pine being laid to three sappy pines they four do exactly match and correspond in completing the 8th part of one Cull of timber and no more. Again we have laid the small sappy pines with the sd small heart pines exactly comparing them together and do plainly discover that two of the sd sappy pines is properly belonging to one or some of the very small heart pines, which said heart pines do make one 16th of a Cull and six of the said small pines do make one 8th of a Cull and neither.

4^{ly} as aforesaid resulting from the premises we the sd Viewers do unanimously conclude and will stand in that said Cull made after the manner of the biggest sort of pines aforesaid have afforded and yielded 32: pines in one Cull again we do say and affirm that every Cull made according to the dimensions of the said small pines have yielded 48 pines in one Cull.

Lastly upon our considering weighing inspecting comparing viewing & calculating the whole composition of the above 74: pines of timber, we cannot in any way reason experience or confidence suppose or judge that there is any more than five Culls of timber and 1/2 Cull allowing 32: of the sd pines and with another biggest and smallest to say Cull white made 34: pines and the fraction 12: pines above and above, the five Culls being added together the whole composition or number of 76: pines of timber sent as aforesaid by the said Walter Taylor for 9: Culls and one half to the value of all above written, we the subscribers have sent to our hands this ninth day of June 1691.

Sworn to in open Court by Bryan: Cart. John: Smart & William Curbils.

And now the aforesaid Jury having deliberated & heard the Judgment & Exposition, and examination of the above deposed witnesses who all made Oath in open Court concerning the same, their names viz Wm: Richardson Wm: Curbils. John: Smart. John: William. Bryan: Cart. Lawrence Crawford. Wm: Richardson Wm: Spence. Samuel: Hopkins Junio. Wm: Neale and John: a servant to John: Cullen, having read their Charges and sent forth the Verdict of the matter. And being forth Jury being now returned as well above being unanimously agreed do bring in the following Verdict. Viz: we of the Jury find the Defendant guilty of the Judgment. John: Curbils. Wm: Curbils was by Court ordered to be entered likewise the said Walter was by order of Court fined four hundred pounds of lawfull and ordered to be good forwile for his good behaviour, and whereupon came the aforesaid Walter with his two servants viz Lawrence Crawford and Thomas Riggon. Junio. And the sd Walter did p[ro]tognizant at New