Decree for Henry Hardey ads Boal & Brightwell

At a Court of Chancery held at Annapolis ye 25 day of May 1697 before ye Honble Coll Nicholas Lowndes Chancellr & Lawrence Christopher & Edwd Dorsey Esqrs Justices between Ninian Boal & Richd Brightwell Complts & Henry Hardey Defdt

This Cause coming this day to be argued upon ye Complts bill & ye Defts plea & Demurr put in thereto ye Complts by their bill setting forth yt ye s^d Richard Brightwell in May 1692 being possess^d of an Indian Manservant called Toby having Eight years to serve ye s^d Richard ye same servant agreed to sell to ye s^d Boal for a valuable Consideration but before ye Agreement was perfected ye s^d Indian ran away & as ye plts were informed came to ye Defts house & there was for some time kept & harboured by ye Deft & by him or his procurement carried out of this province into Virginia Whereupon ye plt Brightwell being as then ye Lawfull Mast^r of ye s^d servant & obliged by ye s^d Agreement to deliver ye s^d servant to ye s^d Boal brought his action at Law against ye Deft for s^d harbouring & conveying away ye s^d Indian servant wherein he declared for 20000 lb of tob damages wch Issue being joyned in a Jury who went out & whether through Ignorance partiality or otherwise found for ye Deft To wch verdict ye s^d Brightwell appeared & Judgement was given against him whereby notwithstanding ye palpable proofs yt were then offered & ye Confirmation of ye same since ye s^d Indian Man has been taken up ye Complts were debarred ye Deft & was threatened to be taken in execution for ye Costs & therefore they prayed ye favourable aid Assistance of this Honble Court & yt process of Subpoena might issue agt ye s^d Deft to appear in this Court & answer ye premisses. Wch wch being granted & ye s^d Deft thereupon prayed to appear accordingly & put in his plea & Demurr to ye s^d bill & to so much of ye s^d bill as sought to be relieved against a verdict & Judgement obtained by ye Deft agt ye s^d Brightwell upon an Action by him brought at Law agt ye Deft for ye supposed harbouring & conveying away ye s^d servant to faith yt by a Law made in a parliament holden at Westminster ye 4 year of King Edwd 4th it was ordained & enacted yt after Judgement given in ye Courts of our soveraigne Lord ye King as well in plea real as in plea personall ye parties & their heirs should be

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