

And the Comp^t: nor wages Engaged for the same as this Defend^t: was informed And the Defend^t: humbly conceived that no part of the said Goods belonging to the said Hullford ought to be detained by the Comp^t: without it had appeared the said Hullford had broke the Charterparty And that the Defend^t: ought not to be stopped by an Injunction upon a bare surmise of Hullfords being a Bankrupt And for that the Comp^t: had remedy by the comon Law if the Charterparty were broken, this Defend^t: humbly conceived the Comp^t: ought not to trouble hinder & molest him with a vexatious Suite in this Court, & with the generall Travells he concluded his Answer as by the said Bill and Answer remaining of Record in the Secretaries Office more fully & at large the same doth & may appear And the said cause for standing at Issue upon Bill & Answer the Comp^t:s Council moved this Court that this cause might come to hearing on Bill & Answer to the end the matter being betwene a Master of Shipp & his Merchant and the Shipp having stayed a long tyme in the Countrey they might not be any further delayed, and the same being usuall practice in Equity, this Court upon the said seventh day of Decemb^r: aforesaid proceeded to the hearing of the said cause On which day it was urged by the Comp^t:s Council that the said Hullford was sailed in his Credit at the tyme of the Exhibiting of the Comp^t:s Bill, & that on a Certificate of the arrivalls of the said Shipp in this Province demand had been made at Hullfords house or last dwelling place of a boarde & there was none to pay the same nor was there any hopes of ever getting any Satisfaction for the hire of the said Shipp Seamens wages Virtually the said Shipp or Port Duties from Hullford in England or otherwise then by securing the same by the said Goods for Shipped as aforesaid & which were their only security for the same as aforesaid or out of the proceed or produce thereof And for prooff of their Allegacions aforesaid they humbly offered to the Consideracon of this Court an Instrument & Certificate of severall Affidavits taken in the City of London before the Lord Mayor thereof under the City Seal which followeth in these words To all that shall see these Writs or hear them to be read I. Joseph Sheldon Kn^t: Lord Mayor & the Aldermen or Senators of the City of London send Greeting Know ye that on the day of the date hereof in the Kings Majesties Court holden before us in the Chamber of the Guild: hall of the said City personally came & appeared the severall Deponents hereafter named being persons well known & worthy of good faith & Credit & did by their solemn Oath which they severally took upon the Holy Evangelists of Almighty God before us then & there solemnly declare testifie & depose for certaine & undoubted truth in manner & forme as in their severall Depositions remaining upon Record in the Court aforesaid is at large contained, the tenor whereof truly followeth Videlicet Edward Allen of London scrivener aged thirty one yeares or thereabouts & Robert Barton of London Notary publick aged twenty eight yeares or thereabouts Sworne & Examined Depose & say jointly & severally upon their Corporall Oathes

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