

iust possesⁿ of them, hee th^e dēft agst th^e p^{lf} doth detaine, wthhold & keepe; w^{ch} is to th^e p^{lfs} Dammage, Two Thows^d pownds of Tob, Wherefore (th^e premises Considered) th^e p^{lf} of this hon^{ble} Court prayeth Judgm^t to bee possessed of th^e s^d mare & her encrease, as likewise for his dammage & Cost of suite

Liber B B

By his Attorney Thomas Notley.

The Letter
of Attorney
Vid infra
fol. 109. Re-
corded.

The Dēft (after halfe an hower Respite graunted him by th^e Board) Denyeth this whole Declaraōn.

Rob^t Robins.

Leiu^t John Bogue in ditt sayth That this mare now in question was M^{rs} ffenwicks mare, W^{ch} shee sold to M^r Rob^t Taylo^r for th^e use of M^r Rob^t Clarke, And w^{ch} this Depon^t did deliuer by M^{rs} ffenwicks order to John Clarke for M^r Robert Clarks use, and further that this is That uery mare.

[p. 97]

Cuthert ffenwick gentⁿ sayth upon Oath That in his Conscience hee beleiueth That this that mare w^{ch} his mother sold to M^r Clarke, for th^t shee hath th^e same Eare marke and other naturall marks.

Ignatius ffenwick gentⁿ Jurat idem cum Cuthbert.

Will^m Mills sayth upon oath That this is the mare w^{ch} M^{rs} ffenwick sold for M^r Clarks use, And th^t hee this Depon^t marked her himselfe in th^e Left eare, & th^t shee hath th^e naturall marks.

The Dēft confesseth th^e Conuersion.

Humphrey Attwicks sworne sayth, That hee demanded this mare in question, By reason shee was like such a mare w^{ch} was brought from th^e Dutch for Robert Robins, Hauing th^e uery same marks w^{ch} this mare hath.

The Judgm^t of th^e Board is th^t Robert Clarke p^{lf} recouer th^e s^d mare, now in question, & her encrease from Robert Robins dēft, And th^t th^e s^d Robins pay all Costs of suite & six pence dammage.

To the hon^{ble} the Gou^r & Councill.

The Petⁿ of Rob^t Slye Adm^{istrato}r to th^e Estate of Samuel Smith Deceased, in behalfe of seuerall p^{rs}ons who hath instructed & impored him yo^r Pet^r to act on their behalfe they being Cred^{rs} of th^e s^d Deceased, Humbly Sheweth

That whereas there is in th^e hands of yo^r Pet^r seuerall Debts & Judgm^{ts} due to th^e Estate of th^e s^d Deceased to th^e ualue of about 7000^t Tob, Besides 4000^t th^t this hon^{ble} Court ordered to Remaine in yo^r Pet^{rs} hands till Cap^t Will^m Battin were secured from Cornelius Stenwick, Richard Lord, & Augustine Herman w^{ch} 4000^t Tob, being due to th^e s^d Stenwick, Yo^r Pet^r humbly Craues th^e opinion & approbaōn of this hon^{ble} Board whither hee may not wth safty satisfy th^e s^d 4000^t Tob & Cask, to Cornelius Stenwick, And to th^e Rest of th^e Credito^{rs} th^e Remainder of Debts due to th^e Estate of th^e s^d Deceased proportionably, according to th^e ualue of each mans Debt, soe