

forth Defendant Edward Hunloke produces a power of Attourney from George Goforth and in regard the plaintiff hath not declared desires a non-suite on the Plaintiffs behalfe which is called and granted Nonsuite.

Richard Russell Plaintiff George Goforth Defendant Edward Hunloke Attourney for Defendant as before craves a non suit against the Defendant not haveing declared in tyme, which is called and granted Non suite.

Court adjourned to 4th June.

[86 1690] June 4th [see this Entred and called as before] Abraham Senior against George Goforth called againe. The Jury Symon Charles and fellowes as last Attested. The Declaration Read: And the Bill read and proved by John Calowe an Evidence attested and Abraham ownes the receipt of 9l. 19s. 6d. upon the same Bill. Alsoe Abraham Attested to the truth of his booke Debt being 2l. 18s. 10d. The Jury finde for the Plaintiff and give him his debt remaining due per Bill and said booke Debt with 6d. damages and Costs of Suite: Judgment Awarded: And Execution made out.

John Joyner Plaintiff William Fryley Defendant withdrawne.

[Richard Guy and James Marshall order of Court] Richard Guy and James Marshall move the Court that in regard they have discharged their Trust (as farre as in them lies) touching their Administring upon the goods Chattells and estate of Robert Hopper, That they may have their Bonds in for discharge of the Persons who were security for them: And move that their owne particular Bonds may bee taken for yet remaynes to be done in the premises: The Court allowe and order the same to be done.

[Subpenas 2] John Dubrois Plaintiff Peter Perdriau and Elizabeth his wife, Elizabeth Montgault, Andrew Lawrance and Mary his wife, Daniell Lucas and Augustus Lucas Defendants. An Action of Slander and defamiation, 2 subpenas one for plaintiff another for Defendant—Jury Symon Charles and fellowes Attested. [Attested] Samson Gallais the Interpreter to the French people Attested.

[Attested] James Monjoy Attested, Saith hee heard Mrs. Rame and Mr. Perdriau saying to Andrew Lawrance, that if hee did not goe up to Burlington to doe what lay in his power to Undoe John Dubrois, shee the said Mrs. Rame said shee would never eat of said Andrew Lawrance bread more, And that shee said this because they had noe Lodging at Cape May. And further saith hee heard the said Perdriau say that Mr. Dubrois would run away. And that hee alsoe heard Perdriau say if hee would indeavour to undoe Mr. Dubrois that soe they might have an English overseer in his Roome. And further saith not.

[Attested] Isaiah Lebake Attested saith that hee heard Peter Perdriau and Andrew Lawrance say that John Dubrois had an intention to run away, these words were spoken as they came up from Cape May in a Boat, and further saith not.

[Attested] James Peyrard Attested, saith hee heard Andrew Lawrance say, that they were to indeavour to undoe Mr. Dubrois to tell falce things of him, these words were spoke in Burlington at the Bakehouse in December last. further saith not.

[Attested] Benjamin Godfrey, Attested, saith that Andrew Lawrance said to him (upon occasion of hee saying to said Lawrance that two such Testimonies as hee declared against Dubrois was enough to hang him) said Lawrance answered why then Mr. Dubrois wants onely the Rope: Further saith that Mrs. Rame said to Andrew Lawrance if hee would not goe up to Burlington to doe what hee could against Mr. Dubrois shee would never eat of his bread more, further saith not.

[Attested] John Gillent Attested saith, hee heard all the Defendants (except Augustus Lucas) say that Mr. Dubrois would run away, And that hee would sell and Convert the Goods of Doctor Coxe which hee had in his hand to his owne use. further saith not.

[Attested] Peter Rencare Attested saith hee heard Mr. Perdriau say to Mr. Dubrois that hee the said Dubrois intended to run away, but hee had prevented it: And that hee (this Deponer) supposeth the occasion of the Quarrell between said plaintiff and Defendants, was because Mr. Dubrois did not provide such a house for them as they expected: Further saith that Mr. Perdriau said hee had as much to doe to Command Mr. Dubrois, as Mr. Dubrois had to Command him: And that hee sawe Mr. Perdriau severall tymes come in threatening manner with his Fists Griped against Mr. Dubrois, And further saith not.

[Attested] John Cossen, Attested saith hee heard Mrs. Rame speake to her Sonne [87 1690] Andrew Lawrance to come up to Burlington, and that if hee would not come up shee would eate no more of his bread; further deposeth not.

[Attested] Nicholas Malherbe, Attested saith hee heard Peter Perdriau and Daniell Lucas senior say that Mr. Dubrois had a designe to take the Concerne of Doctor Cox into his owne hand, and goe away with it, And that after hee should gett the same into his hands, Escape who can, further deposeth not.

[Attested] Peter Lespine and Nicholas Martineo Evidences supenaed for the Defendants Attested. Peter Lespine saith hee heard Mr. Dubrois say that hee would gett what hee could out of Mr. Tathams hand and Then hee would laugh at him: Further saith that one day in the evening Mr. Lawrance told him in presence of Augustus Lucas that Mr. Dubrois would gett what hee could of Doctor Cox goods into his hands, and afterwards let every one shift for himselfe. And further saith that said Augustus Sonne told him that Mr. Dubrois said that if hee would stand by him the said Mr. Dubrois hee should goe shares with him in the profitts hee could make

at Cape May, further saith that one day being at John Tests in Philadelphia Mr. Dubrois told him hee had a minde to send the Sloop to Boston and goe in her along Captain Eberad, And saith Peter Perdriau said to him (this Deponent) that Mr. Dubrois hath a minde to undoe us, but wee shall declare what wee knowe against him, further saith not.

[*Attested*] Nicholas Martineo, saith that Mr. Dubrois said hee would gett what hee could out of Esqr. Tathams hand, and then hee would laugh at him, And afterwards the said Mr. Dubrois said that when hee gott the Asse by the Tayle, hee knew how to Lead him, further saith not.

[*Attested*] David Lillies Attested, saith that the Whalermen by reason of the ill successe in the whalery, occasioned by reason of Mr. Dubrois coming up the River with the Sloop, soe that they Lost the Whale: They thereupon said amongst themselves that Mr. Dubrois intended to make the best of the Doctors Concernes for himselfe: further saith not.

[*Verdict*] The Jury finde for the Plaintiff and give him 5l. Dammage and Costs and charges of suite. And judgment awarded thereupon.

Court adjourne to the 5th June.

June 5th 1690. [*See this entred as before*] John Tatham on the behalfe of Doctor Daniell Cox Plaintiff, John Dubrois Defendant, an Action upon the Case.

Jury Symon Charles and fellowes Attested.

[*Entred plea*] The Declaration Read and opened: The defendant Pleads that John Tatham had noe power when the Action was Commenced to call the Defendant to Accompt The Court Concurrre together that hee had and hath a power to bring and prosecute this Action on the behalfe of Doctor Cox.

[*Doctor Cox Letter of Attourney read*] The Defendant requests to see Mr. Tathams Letter of Attourney from Doctor Cox which is produced and read: As to one parte of the Declaration, to witt, the Delapidations and defraud charged on the Defendant To be comitted to Patrick Robinson, Edward Hunloke, James Marshall and George Hutcheson to inspect and adjust the Accompts, And to make report to the next Court thereof: The abovesaid Commissioners are to meet at Burlington the 20th of this Moneth to proceed in the premisses.

Evidence for the Plaintiff

[*Attested*] George Taylor Attested Saith hee remembers that in January last (as hee supposeth) Mr. Dubrois came from Cape May to Newcastle with the Sloop, when the Whalery had occasion for her, And that the Whalermen had gott a Whale and kept her in hold 6 or 8 dayes but could not gett her in to shore for want of said Sloop, And before the Sloop [88 1690] came back from Newcastle the whale was Lost.

[*Attestation of Isaac Matchett*] Attestations of Isaac Matchett and others on the behalfe of the Defendant Showing upon what Accompt hee

went up with the Sloop, which were taken before Mr. Salaway and Anthony Morris Justices in Philadelphia: Read in Court.

[*Attestations*] Attestation of Isaiah Ebrad on the Defendants behalfe taken before Justice Skene, shewing the reasons of Mr. Dubrois coming up to Burlington, alsoe read in Court being for provisions.

[*Attested*] Benjamin Godfray Attested, saith that Mr. Dubrois sold some Beefe, but it was on the Accompt of the Whalery: Further saith that the chiefest reason of the other whalermen breaking Articles, was because of their want of supply with provisions, And because they was put to soe much trouble in going often for it; Further saith that if they had had salt they could have had meat; Mr. Tatham makes appear they had 26 Bushells of Salt downe to Cape May.

[*Attested*] Olliver Johnson Attested, saith that hee thinks the whalery men belowe on Doctor Cox Accompt had provision enough to serve the winter, and that hee stayed there amongst the whalermen untill 25th March, and that hee heard none of the whalermen Complayne for want of provisions, Mr. Taylor saith hee heard some Complayne for want of provisions, but the reason was because Mr. Dubrois would not give it them. George Taylor further saith that there is a vessel on the stocks at Cape May that was begun in James Budds tyme, But since James death nothing more is done to it, And that the reason was for want of Plank, And further saith that Mr. Dubrois spake to the whalermen to sawe Plank, at odde tymes, which they promised to doe, but did not.

[*Attested*] Peter Perdriau Attested saith that there was a Boat lost at Cape May belonging to Doctor Cox, which was lost by negligence, for want of help from the Shore.

[*Verdict*] The Jury finde for the defendant and give him his Costs of Suite, And Judgment Awarded for that parte of the Declaration which came before them with reference to neglect in the Defendant But the Judgment and order of Court for an Audit as to the Adjusting of Accompts remains accordingly to be done.

[*See this Tried after:*] Peter Perdriau, Anthony Renavein, Peter Lespine, Nicholas Malherbe, Nicholas Martineo, Andrew Lawrance and Elizabeth Rame, (Servants of Doctor Daniell Cox) Plaintiffs Complayne against the said Doctor Cox their Master Defendant in an Action upon the Case. The Court order the Plaintiffs to prepare all their Contracts ready Translated out of French into English against Morning, and then to bring action on. Nicholas Malherbe, a single Action against Doctor Cox is alsoe ordered the same.

James Peyrard, Plaintiff Peter Perdriau Defendant an Action of assault and Battery—Plaintiff and Defendant agree to referre the cause to the Bench without a Jury, But the Lawe of this Province expressly requireing: that assaults etc. shall be tryed by 12 men of the Neighbourhood: Jury

called and Attested being Symon Charles and fellowes. Declaration read. Evidence.

[*Attested*] John Gillett Attested, saith that hee did not see the Defendant beat the Plaintiff but that hee did help the Plaintiff up hee being fallen downe, And that hee this Deponent was in the same Roome with Plaintiff and Defendant when the Quarrell was: Further saith hee heard the Quarrell betweene Plaintiff and Defendant and saith it was about a woman that was to goe downe passenger in the Sloop, and saith the Plaintiff asked the Defendant if hee should have parte of the money for the passenger, And the Defendant said that was nothing to him, hee would give Mr. Dubrois an Accompt of it: And Further saith hee heard stroaks but did not see any stroaks given.

[*Attested*] Daniell Lucas, Attested saith the Quarrell began as is aforesaid, and thereupon the Plaintiff reflected upon the Defendant by evill Language, and as the Plaintiff was at the Garden doore, hee tooke of his neckcloth and put it in his pockett, and went towards the Defendant as if hee had a minde to stryke him, whereupon the Defendant tooke up a padle in his owne defence and gave warning to the Plaintiff to stand of, saying if hee came upon him, hee (the Defendant) would stryke him, which the Defendant did: the deponent being asked if hee saw any blood, hee saith hee did.

[89 1690] [*Doctor Lanchads Bill read*] Alsoe a Bill made from the Plaintiff for the payment of 30s. for the cure to Doctor Lanchard Read in Court, with the receipt thereof.

[*The Doctors Certificate Read*] A Certificate from the said Doctor where the wound was (vizt, on the left side of the head, And that the wound was from 20th: 9ber to the 4th 10ber in cureing, And wherein alsoe the Doctor sette forthe that the Plaintiff Complayned of a paine in his Eye, which hee saith was occasioned by the stroak. [*Juryes Verdict*] The jury finde for the Plaintiff and give him 20s. dammages with Costs of suite.

[*A Complaynt against Henry Pope*] John Cowgill Attested saith hee heard Henry Pope at Christopher Snodens house Sweare (By God) three tymes, The Court Fyne him 8s. and Comit him to the Sheriffe till hee pay it. The Court upon his submission suspend the Fyne.

June 6th. [*See this entred before*] Peter Perdriau and the rest before mentioned against Doctor Daniell Cox called againe, Nicholas Malherbes particular Action agreed to come in Common with the rest only the Toolles that hee Attached hee desires may be appraised and sold to him towards payment of whats due to him: Alsoe the Complaynt of James Moÿe and the Petition of James Peyrard and John Gillett is to come in after upon the same Accompt with the rest.

Jury called Symon Charles and fellowes Attested. [*Interpreter Attested*] The Declaration Read Samson Gallais Attested truely to Interprett what shall be spoken out of French into English; And that the translating of

the French Articles or Contracts with Doctor Cox into English is according to their principalls.

Peter Perdrius Contract of Articles with Doctor Cox read: And also the rest.

[2 *Attestations*] Peter Rainere and Benjamin Godfray Attested, say that Peter Perdriau came from Gravesend in prosecution of his Voyage december 6th 1688 Alsoe that Anthony Renavein, Nicholas Martineo and Andrew Lawrance came the same tyme from thence.

[*Attested*] John Dubrois Attested, saith Peter Perdriau would not observe his orders, to goe into a certaine Creeke with the Sloop for her security, unless hee the said Mr. Dubrois would allowe one of the Servants of Doctor Cox to Pilate him in.

[*Attested*] Daniell Lucas Attested saith that as to said Peter Perdrius goeing into the said Creeke with the Sloop: Mr. Dubrois told Perdriau Captain Dixi should Pilate her in, but did not; whereupon Mr. Perdriau desired that hee might have another man to doe it, But Mr. Dubrois denied it, whereupon Mr. Perdriau refused to goe into the said Creek and thereupon Mr. Dubrois putt him out from being Master of the Sloop. Peter Perdriau being further accused as being the occasion of the losse of the Red Boat.

[*Attested*] John Gillet Attested saith hee knowes nothing of Peter Perdrius being an occasion of the losse of the said Red boat. Mr. Tatham on the behalfe of Doctor Cox accuses the Complaynants in Generall for withdrawing from their Masters service, And that they said they will not worke.

[*Attested*] James Peyrett Attested saith hee heard Peter Perdriau say hee would not serve Doctor Cox unlesse hee had his wages, And further saith that hee beleeves it was the said Mr. Perdrius fault that the red boat was lost: But being asked the reason why hee beleeves soe, hee shewes none.

[*Attested*] James Moÿer Attested saith hee knowes that since they were in their Masters service they have said noe body payes them, they had Commanders but noe payers But did never heare them say they would not worke.

[*Attested*] George Taylor Attested, saith that they are mentioned in Generall therefore hee can say litle; But as to some particulars hee hath heard Mr. Dubrois Command them to worke. and they answered if hee would not pay them they would not worke, And that [90 1690] others denied to worke in Smiths worke, and said they wanted Implements to witt Sea Coale, And thereupon Mr. Dubrois gott other Smiths who did the worke with Charcoale: Further saith as to Anthony Renavien the Cooper hee heard him say hee could not worke being (as hee said) sick and that Mr. Godfray said to him sure if you can eat you can worke.

[*Mr. Dubrois deposition*] Mr. Dubrois himselfe deposeth that hee

cannot complayne against the Smiths; Hee said to them why cannot you worke with Charcoale as well as others: They said they could not Sauder with Charcoal, or Well great worke without Sea Coale.

[*Attested*] Olliver Johnson Attested being a Cooper, saith hee made 141 Barrells from 15 gber to 25th March following, And the Doctors Coopers made being two but 145 Barrells from 15th January to 25th March following.

[*Attestation upon Anthony Renavien Accompt*] Upon the Accompt of Anthony Renavien who saith Doctor Cox promised him a sett of Tooles at the end of his service over and above his Contract. Peter Raniere saith hee heard the Doctor promise it. Mrs. Rame Covenant in right of her husband, As to which shee pleads for what was due to her husband to the tyme of his death, And that shee may have the Land and house built at Doctor Cox Cost according to the said Contract.

[*Verdict*] Juryes Verdict. The Jury find for the Plaintiffs (that is to say) for the plaintiff Peter Perdriau and give him his Debt per Covenants and Costs of suite. For plaintiff Nicholas Martineo and give him Debt per Covenants and Costs of suite. For the plaintiff Anthony Renavein and give him his Debt per Covenants and Costs of suite. For the plaintiff Anthony Lawrance and give him his Debt per Covenant and Costs of suite. For the plaintiff Nicholas Malherbe and give him his Debt per Covenant and Costs of suite. For the plaintiff Peter Lespine and give him his Debt per Covenants and Costs of suite. For the plaintiff Mrs. Rame and give her her debt per Covenants and Costs of suite that is to say what was due to her Husband to the tyme of his death and the land etc. as was Covenanted for during her life. And judgment awarded.

[*Elias Farr Accompt of Administratourship Adjusted and order of Court*] Elias Farre Administratour of the Goods Chattells and estate of Jane Garwood deceased haveing given in an Accompt before this Court of his said Administratourship, it appeares there remaines upon Accompt in his hands to the Ballance the Summe of Three pounds one penny three farthings: which the Court order to remaine in his Custody untill the persons to whome the same belonge shall Legally make the same appeare.

Joshua Newbold Plaintiff William Wood Defendant action debt withdrawne.

Edward Hunloke plaintiff William Huntley Defendant Action of Accompt declaration read Jury Symon Charles and fellows Attested.

James Hill produces a Letter of Attourney from the Defendant to appeare in defence of the Action: owned by plaintiff and Court.

[*An Evidence per an order*] The Defendant desires the Plaintiff to prove that Huntley was a servant James Hill confesseth that Huntley owned Himselfe a servant to Walter Pumphary when hee Attested him: The Plaintiff alsoe produced a Copsy of an order of Governour and Councill

wherein they order to Seize Huntley as Pumphreys servant by Execution.

[*Attested*] Abraham Senior Attested saith hee knowes that Mary Bates had the Indentures both of William Fryley and William Huntley, and that shee said before Edward Hunlock should have them shee would give them their tyme, and saith Mary said shee had the Indentures from Pumphrey before Edward Hunlock seized them.

[*Attested*] William Fryley Attested saith hee knowes not whether Walter Pumphrey assigned them to Mary Bates before Edward Hunlockes Attachment was served or not.

[*Verdict*] Jury finde for the Plaintiff and give him 20l. dammages and Costs of suite, and Judgment awarded.

Edward Hunloke Plaintiff John Heesom Defendant withdrawne.

James Marshall Plaintiff Joshua Newbold defendant withdrawne.

[9<sup>1</sup> 1690] [*Petition*] William Fryley a Petition in Court read Contayning a Complaynt against Edward Hunloke: The Court (in regard its a sodaine Surprisall to Edward Hunloke) appoint Fryley either to proceed next Court by this Petition, or by Legall way of Tryall, Fryley replies hee will bring it by way of Action.

[*Petition*] Benjamin Godfray requests hee may have what wages hee deserves for his service to Doctor Cox, And that hee may bee dismiss.

[*Attested*] Peter Reneire Attested on behalfe of said Godfray and alsoe Peter Perdriau, Attested both say that Doctor Cox was willing to send him to Mr. Dubrois, and that hee should have such wages as his imploy deserved, And say that Doctor Cox did not intend said Godfray should come into this Countrey upon the termes of Servants who have onely the Custome of the Countrey. The said Benjamin Godfray haveing made it appeare, that there is noe Contract betweene Doctor Cox and him, And that hee came not over as a Countrey Servant but by Letter of recommendation from Doctor Cox, And that his service here for said Doctor seemes not at present soe necessary as was supposed, desires hee may have what hee hath deserved and be dismiss of his service, which the Court thereupon order, onely that hee stay one Moneth in order to sett the affaires of the Doctor at the Cape in order, and what otherwise may be for the Doctors service in that tyme.

New Constables presented to be chosen and approved per Court. [*Constables*] Nottingham—John Roger Attested. Birch Creeke—Thomas Butcher Attested. Northampton—Joshua Humphries Attested. Willingborrow—Thomas Evans Attested before Daniell Wills. Cropwell—Thomas Wallis Attested. Burlington—Robert Riggs—Samuell Furnis Attested. Overseers for Highways. Mansfield—Michaell Newbold senr. Northampton—Anthony Elton. Willingford<sup>81</sup>—Thomas French. Burlington—Peter Fretwell and Samuell Harriott.

<sup>81</sup> A slip by the clerk. He corrected it above, crossing out "ford" and writing "borrow" above it.



[*order Court*] ordered by the Court that new warrants be out against Nathaniell Cripps John Fleckna and Daniell England for the respective Fynes on them formerly laid.

[*Order*] This Court order that the Sheriffe take the Charge, and gather the Perquisitts appertayning to the Bench for each tryall, and alsoe to the Jury and Cryer, that is to say, 5s. to the Bench: 12s. the Jury and 6d. the Cryer for each Tryall, and in case a Declaration be delivered for Tryal and Plaintiff and Defendant agree not within two dayes before the Court, then the Sheriffe shall Collect gather or Levy 2s. 6d. for the Bench, 6s. the Jury and 6d. the Cryer for every such Action entred agreed after the said tyme: And alsoe the same halfe Fees for Bench Jury and Cryer shall be Collected by the Sherriffe for each Action wherein judgment shall be acknowledged in Court without a Jury.

This Court Dissolved Next Court to be August 8th next.

Written out and Sealed a Comission according to the Courts order To Patrick Robinson Edward Hunloke James Marshall and George Hutcheson to inspect the Accompts of John Dubrois etc. and to make report thereof to next Court.

[92 1690] Att the Quarterly Court held August 6th 1690. John Skene, Edward Hunloke, Daniell Wills, William Biddle, William Emley, Richard Bassnett, James Marshall, William Myers, Thomas Lambert, Justices present. Grand Jury John Shinn senr., Thomas Scattergood, John Calowe, Joseph Adams, Samuell Stacy, Michaell Buffin, John Budd, Joshua Humphries, Daniell Leeds, Thomas French, Isaac Marriott, Anthony Elton, Samuell Taylor. Traverse Jury Thomas Gardner, Robert Murfin, William Black, Thomas Farnsworth, John Bunting, Mathew Watson, John Haynes, Peter Fretwell, John Day, John Abbott, Robert Wheeler, Daniell Sutton.

There are noe presentments or Indictment to the Grand Jury: Neither find they any thing presentable.

Samuel Coles Plaintiff John Cornish Defendant Agreed withdrawne.

Thomas Ollive and John Hollinshead plaintiffs Edward Hunloke and Isaac Hargrave Defendants Continued.

Edward Hunloke Plaintiff Isaac Hargrave Defendant Continued against John Hargrave Continued.

Eleazer Fenton plaintiff John Budd Defendant withdrawne.

[*Renew Execution*] William Fryley plaintiff John Heeson Defendant Execution satisfied in parte.

James Marshall plaintiff Gilbert Wheeler Defendant discharged.

Lawrence Morris plaintiff Abimelech Hudson defendant withdrawne.

[*Renew warrant*] Nathaniell Cripps John Fleckna and Daniell England warrant not served.