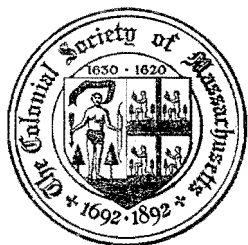


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1933

RECORDS OF THE
SUFFOLK COUNTY COURT

1671-1680

PART I

1671 . . . the Jurie . . . found for the plaintiff seauenty pound Damage or the present possession of two thirds of fue acres of land sued for & after the Decease of widdow Huett the pl^t mother the possession of the whole fue acres with Costs of Court thirty nine shillings & six pence. The Court accepted this verdict but vnderstanding by the Townesmen of Hingham y^t she viz^t y^e aboues^d widdow is an Antient & necessituose woman the Court hath ordered that shée shall if Necessity requires haue the disposall of the third part of the said Estate to sell for her supply & vnto this Order the said Cutler in Court gaue his consent.

GIBBS v. JOY

Robert Gibbs plaintiff against Thomas Joy Defend^t according to Attachm^t Dated the thirtieth of December 1671. y^e pl^t withdrew his Acion.

WOODMANCY v. JOY

John Woodmancy pl^t against Thomas Joy Defend^t according to Attachm^t Dated the 28th of the 10th m^o 1671, after the Attachm^t was Read y^e pl^t not prouing y^t legall sumons had bin giuen to the Defend^t he y^e said plaintiff was declared nonsuited.

THAIR v. ROSE

Richard Thaire pl^t against Rodger Rose Defend^t according to Attachm^t Dated the 8th of y^e 11 m^o 1671 the pl^t not appearing was declared nonsuited.

LILLY v. STANES

Edward Lilly pl^t against Richard Stanes Defend^t according to Attachm^t Dated the 17th of 11 m^o 1671 the pl^t withdrew his action.

MOSELY v. DEACONS

Samuell Mosely pl^t: against John Pease & Arthur Mason Executors to the Last will & testament of Joseph Deacons Defend^t according to Attachm^t Dated the of m^o 1671 the pl^t not appearing was nonsuited.

BRACKETT & BRATTLE v. Cap^t CLARKE

Peter Brackett & Thomas Brattle guardians to John Hands Executor to his Father Marke Hands late of Boston Deceased plaintiffs against Cap^t Thomas Clarke Defend^t in an Action of the case for

withholding sundry goods receiued from M^r John Doggett of London for the Acc^{ts} of the aforesaid Mark Hands beeing the proceede of five butts of sugar shipped from Barbados by Daniell Burr vpon the propper account of the said Marke Hands & consigned to the said Doggett for sales & due Damages according to Attachm^t Dated the 25th of January 1671 . . . [17] the Jurie . . . found for the pl^t viz^t that y^e Defend^t produce & shew to the plaintiff within two months all Aduices accountps Invoyses and Bills of Loading which M^r Doggett hath at any tyme since the yeare 1660 sent to the said Cap^t Clarke hauing reference to five butts of Sugar shipped from Barbados to the said Doggett per order of Mark Hands & in case that any such papers cannot be produced that the Defend^t doe vpon Oath according to the best of his remembrance & knowledge communicate the contents & purport of such papers as shall soe be wanting & that the Defend^t pay according to what shall then appeare to haue beene the said Mark Hands his Interest either in ye halfe or whole of the proceeds of such sugar the first Cost of goods came to his hands with the Aduance of fowre pence vpon Euery shilling & the Interest of Eight per Cent to this tyme in money or that the Defend^t vpon default therein pay to the pl^{ts} one hundred & forty pounds in Money with Costs of Court the Defend^t appealed from this Judgm^t to the next Court of Assistants & y^e s^d Cap^t Thomas Clarke & Ensigne John Richards Joyntly & Seuerally acknowledged themselves bound to . . . prosecute his appeale . . .

[The following documents, from S. F. 1090, explain the Barbadian transactions which were involved in this case, and throw light on the close commercial and personal relations between Boston and Barbados, Virginia, and "Manadoes" (New York). John Stoughton is perhaps the younger brother of William Stoughton, mentioned in the will of their father, Israel Stoughton, 1644, and according to Savage "never heard of after."

S. F. 1090.4

Barbados June 24th 1661

S^r

I Received yo^{rs} per m^r Colby w^{ch} were very Sharpe, I hope I shall endeavor to give no ocaation of any more of y^e Like, also I receiv[ed] yo^{rs} per Joseph Grafton wth y^e order & Statues but y^e bill of Loading gives m^r Eggington $\frac{3}{8}$ of all & your Letter mentions $\frac{3}{4}$ one for y^e Acc^t of yo^r Selfe & marke Hands y^e $\frac{1}{4}$ on yo^r owne Acc^t. I, sell for 1^{ll} $\frac{1}{4}$ per foot I shall returne y^e effects per m^r Joseph more w^{ch} will goe home as Soone as M^r Hilton, the Ketch providence hath a voyage for Serrenam w^{ch} I hope will turne to Acc^t, please God y^t wee have had 13, or 14

ships Cast on shoare, I had 19 butts of Sug^r one board Bugbe & pleased God he ridd out well, it was one yo^r Acc^t of Trottes Debt; I shall send all y^t Debt home this year besides a considerable Summe on y^e other Account, I have been 3 days on the Jury last week & now must attend y^e whole Court two days w^{ch} causes mee, To be breife per Joseph More I shall Enlarge w^{ch} I Supposee will be home as soone as M^r Hilton, not else but Remayne yo^r faithful Servant.

John Stoughton

The following unflattering inventory is in S. F. 1090.2.

An Inventory of all such Goods M^r John Stoughton died possest of, or had, or had at y^e time of his Decease In his Charge & Cust[ody]

1 Stone horse, 1 Gelding lame & Sickly
one man Negro named John & one Negro boy named Peter
One beam Scales & 882^{ll} of Leaden waights
Three bb^s flower, 2 firkins of butter, bad
1 Iron pott, 1 pewter bason; 6 butts wth Sug^r almost full y^e Contents not knowne.
1 hh^d & 1: bar^{ll} of Rum & 1 hh wth a Small quantity in it.
5 bb^s of Stinking beife, 1 empty butt: 1 empty hhd, a parcell of Deals Contents not knowne,
a dozen of new hammocks, 3 old ones
a Small parcell of Cotten about 200^{lb}
a Case of Pistolls & holsters a pockett pistoll & rapier a Sett of bandaleirs
3 pair of breches one Dublett & Loose Coat, 2 old hatts, 1 pair of Silver buttons for breches one Sett of Silver Ditto for Neck & Coller
a sett of Silver shoo buckles a Silver ginie hatt band, a Small gold Ring, a Small hoope gold ring, a Silver Seale, a pair of Silk Stockins
6 shirts, 5 Striped Neccloths, 4 white Jackitts, 9 Napkins 2 table Cloths,
3 pair of Linen Drawers, 1 pair old Riding stockins, 1 p^r old Silk Stockins
a holland neckcloth, 2 handchercheifs, 3 bands,
a purple Cotton morning gowne one Rugg,
1 English Case wth 9 bottles, 9 books written in Concerning Acco^{ts}
Severall piles of writings, Seaverall Small papers Loose, Seaverall Noats & ribles in Small boxes & bundells a Looking glasse, a Ceder Deske a[bout] a Reame of paper.

This Came enclosed in a letter from Daniell Bur Dated y^e 22th January 1661 In w^{ch} he writes I have sent also an Inventory taken per me Richards & me Cook of y^e Goods m^r Stoughton died possessed of & had in his Custody &c^a

The following account (S. F. 1090.6) is reckoned in pounds of sugar:

1661 Barbados; Marke Hands is
Debter unto Severall Debts paid for
Acco^t of John Stoughton

	<i>Sugar</i>	1661 Per Cont: Credito ^r	<i>Sugar</i>
Edw: Cole	0320	By Sugar Reced from Tho:	
To Essabell Walker	0100	Rowse	05377
To Joseph Seaton	0462	By 5 butts Sug ^r Left in y ^e house	
To Ditto Obadiah Rume	0434	& one butt w th a Small quan-	
To Edw Hussey	0096	tity in it w th the Butts	07649

	<i>Sugar</i>		<i>Sugar</i>
To Leonard Sathem	0010	By Sug ^r from Joseph Seaton & Thomas Dymon	00581
To Sam: Hanson	0543	By Ditto from mansel Brando	03000
To m ^r Buckley	0200	By Ditto received from Tho: Culpeper	01084
To John Rithop	0282	Reced from Robert Crober	00140
To James Haydon junio ^r	2475	By reced from Abram Kemball	00257
To Will: Rush	0052	By Tho: Powdreth	00115
To David Morgan	0324	By Abram Kemball	00622
To M ^r Chandler	0622	By m ^r Dalathy	450
To James Cawes	0622	By Sion Hill	00322
To Jeremiah Eggington	2668	By Cap ^t James White	06060
To Will Rope	0095	By John Sewell	02600
To Nathaniell Patridge	0872	By Tho: Culpeper	00054
Thomas White	0500	By Tho: Abbett	00159
To So much paid for a Letter of administraton	0120	By 3 gall ^s : 3 qua ^{tt} rumm	00045
To 5 ^s p ^d y ^e Clarke for a Coppie of a Noate	0050	By 36 ^{lb} of Candells at 1 ^{ll} per lb	00252
To 70 ^{ll} Sug ^r p ^d Nath: Patridge making a studs for the house & shoats for windowes	0070	By Abnell of Froneth	00443
Disburstm ^{ts} upon y ^e Ketch providenc	0465	By Nath. Pattridge	00300
Disburstm ^{ts} on y ^e ketch Content	2990	By one bl: rumm & bl:	00434
1 hh of bread dd math: Clarke for y ^e use of y ^e Elizab th	0894	By 7 water bl:	00260
To Severall Cloths w ^{ch} were John Stoughton's	0517	26 gall: $\frac{3}{4}$ rumm & a bar ^{ll}	00361
To old Cloaths for y ^e Negro	0050	By Rumm Reced from Major ^r Hawkins	01963
To a rundlett of Sug ^r for your use aboard	0086	By 237 ^{lb} Cotton	00464
p ^d John Corthue for your Expencis	0032	By Neet Sayles of a parcell of goods Jn ^o : Stoughton left	00763
To apar of Stockins for Ditto	0000	By a Noat of Tho: Rowston	15346
To Joseph Seaton for Ditto	0265	By Hen: Feak	653
To p ^d Tho: Dimondo for Ditto	0316	By Jn ^o Patridge	1418 02071
To p ^d W ^m Greenoh per you 69: 1 p ^r stockins	0239		41712
To p ^d Jonathan Hill for you	1250		
Execution for you	0050		
To 1 hh Rumm & hh & bringing from Loand	0945		
To 80 ^{ll} of Sug ^r p ^d y ^e Cuntery	0080		
Taking in a parcell of Rumm Recd from Hawkins	0026		
By my Commissons for y ^e aboves ^d Disburstm ^{ts} at 5 per Ct being 20[6]84 shoger	1034		

A Coppee of an Acc^t given Marke Hands by Dan: Burr
This is a True Coppie as Attests
FreeGrace Bendall Cler.

	<i>Sugar</i>	
To Goods Laded aboard y ^e		
Ketch providence for virginia		
for Acc ^t of Cap ^t Clarke &		
yo ^r selfe	12147	
To goods Laden on board the		
Hope of London Amos foard		
Command ^r	7847	
for keeping upoone house 2 m ^o		
	0050	1933
paid Joseph Grafton for wayes		
	1883	
	<hr/>	
	41712	

S. F. 1090.5

Barbados August 4^d 1662

M^r Winsloe and Loving freind, I make bould Still to troble you.

I have sent you a Coppy of Letter Sent Once againe to Cap^t Clarke & Acco^t pray take Opportunitie to peruse them & Lett my Cousen Everill See them y^t you may Speak to Cap^t Clarke at yo^r Leisure y^t wee may once Come to a Conclusion, If M^r Winsloe doe not receive 2 hh^s of Sug^r of M^r Culpper I shall Send you 2 hh^s per M^r Prout I am Very Sorry it is no^t yet paid if possible I can gett in any you shall not faile I have sent you bill of Laden for 5 butts Musc^o Sug^r Shipt per David Burr for my particular Acc^t Consigned to M^r Daggett w^{ch} Cap^t Clarke layes Claime to, but desire you to Receive the produce when Come to hand, I have sent Some 6 Sug^r Loaves, One to yo^r wife one to my Cousen Everill One to Goodee Briggs One to my Sister Hannford One to M^{rs} Flint & one to Hitte per M^r Winsloe I have sent you home a pair of Pistoles & holsters a rapier a bow, a draught of a Ship to hang up in y^e hall, I have sent 20/^s in mony to John, pray doe not Lett him Spend to fast & 20/^s To Hitte & 40/^s to Goodee Briggs, Goodee Briggs Saith she hath disburst Something for Hitte, y^t I would have her Sattisfie herselfe, her mother Left y^e charge of Hitty wth Goody Briggs which I would nout have my Children to be chargeable to any body (though trublsome) Soe long as I Live, pray gett y^e pistolls & y^e rapier fitted that they bee not Spoyled & Lett John pay for them out of his Money, Pray remember my Love to yo^r good wife & children & my Children, Soe I Leave you to God and Remayne

yours to Command Marke Handess

. . . true Coppie as Attests FreeGrace Bendall Cler.

S. F. 1090.7

Barbados Agust 4^d 1662

Cap^t Thomas Clarke

S^r yo^r Last receaued bearing Date 16 June Last wherein you Expresse a great deale of difficulty in Diuideing Our Debts & howse but rather should be sold, Debts parted & you should receaue yo^r sugar, but heere is no such quick Sale for howses in Barbados at present neither the Debts soe hastily receaued, my Desire hath bin any tyme this three years for a Diuicion but could neuer gaine itt which

is to my great Losse. Is it not a sad thing that a man should be kept in partnership Joynd for two years all Dayes of his life & after Death his Children may be ruinated & neuer bring things to a period, how oft haue I prest vpon a Diuicion & how oft haue you promised it should be soe & now send mee word that you would haue the howse Sold & the Debts Diuided, soe that my part of the howse must lye for your particular use & neuer receaue one hh^d of sugar from itt soe long tyme pray S^r observe the Golden Rule & Doe as you would be done by I was neuer bound prentice to you for all Dayes of my Life, Inclosed are acc^t of proceedings in Virginia for M^r Langworth acc^t Cap^t Eginton & m^r Gale charge you with $\frac{1}{4}$ part beeing the Order of John Stoughton which acc^t also is inclosed, heere also acc^t in Menados & fairfeild & if you please to haue the particulars (owned per Cap^t Eginton & m^r Gale) I shall send them to you Daniell Bur is goeing ofe & will medle no more wth your buisnese. I haue Left the buisnese with phelick Sanford onely to pay m^r Gard that wee may not be Exclaimed vpon as receiuers John Stoughton hath receaued As appears of m^r Gards sugar since I went to Virginia about 30 or 40000^{li} what hee hath don with itt I cannot informe which you are sensible cannott but bee to my great Damage haueing Long wrought for itt, heers acc^t of your particular whereby you will see Jn^o Stoughtons Expences proued by Oath, I haue not since my goeing ofe to Virginia had one hh^d of sugar shipt ofe per Jn^o Stoughton tho. haue bin at halfe charge for Storeidge howse-keeping & a Man ag^t him vpon my acc^t & particular charge & haue acc^t of no goods shipt for my acc^t soe y^t you cannot be vnsensible of my great Losse, there is no comicion charged for your owne goods sales nor returns which I thinke is a great deale of Injustice that I should haue noething don & you all for yo^rselfe, I haue got Some freinds to settle Jn^o Stoughtons acc^t & haue sent you a Coppie I carry no Estate to Virginia of yo^rs but yo^r $\frac{1}{2}$ part of Katch content nor none can at present be gotten but what may bee goes to pay m^r Gard, heere is 14000^{li} sugar y^t is found y^t Jn^o Stoughton shipt ofe for your owne acc^t what more I know not nor what became of the rest I left the acc^t Ball^a per acc^t of Sales & haue not had shipt ofe since out of the Joynt acc^t one hh^d nor vallue of sugar for my particular 5 Butts of sugar Daniell Borr ship^t ofe to m^r Doggitt for my particular acc^t which was for meat I brought from Virginia & one horse I sould & now you write it is the Joynt Sugar which is noething soe I haue sent the bill of Ladeing to m^r Winslow to proue the sugar shipt ofe for my particular acc^t I desire you would not medle with itt but deliuer it to m^r Winslow if m^r Doggit sends itt, your acc^t betwixt you & mee God willing I will come home in May & cleere, Cap^t Egginton & I haue not yet made vp acc^{ts} for Seuerall Voyages but hope shall cleere before I goe away, for your part he desires to send a Lett^r of Attourney to call him to acc^t & that hee may be discharged & he will send you home to cleere itt so he does per many men y^t hee may be cleere, & for buyeing & selling the Catches I haue don noething in itt Joseph Grafton is well ariued in England I haue Left my order with phelick Sanford therefore if you please to send any one ouer or appoynt any to Diuide the Debts & Estate heere shall be well satisfied y^t I may once be cleere, as for the 100^{li} at Manedos the ship was not come in when Cap^t Moore Sayled thence as per Johannes Van Brogen^s to mee Expresseth by first conveyance hee will send it you: By m^r Prout shall send a cleere acc^t when haue made vp with Cap^t Egginton. heer^s $\frac{1}{2}$ part you haue in prouidence more then I. heer^s 14000 sug^r out Joynt Stock more then I heer^s a great deale of sugar gone out of y^e Joynt Stock to m^r Gard to make John Stoughtons acc^t good 30 or 40000^{li}

sugar which brings all to little what became of y^e bords by the prouidence I can finde noething of them as well as of a great Deale more what neglected now shall informe per m^r Prout not clere but that I am

yo^r faythfull freind & serv^t

Mark Hands

This is a True Coppie as Attests FreeGrace Bendall Cler.

Since I left the Island John Stoughton had a trade of Shooting at the hole 500 or 1000^{li} sug^r a shoot which I feare wasted much the Estate, The Lord Winsor was heere wth five shippes (per ord^r from the Kyng) & haue carried away many passeng^{rs} with him to Jamaica & what of o^r Debt^{rs} are gon^t I Know not, for the firkin of Butter I receaued of M^{rs} Stoughton haue deliuered to Daniell Burr he hath deliuered the produce to you pray deliuer it her

. . . True Coppie as Attests FreeGrace Bendall Cler.

S. F. 1090.8

The Testimony of John Winslow Aged 75 years or there abouts

Testifieth & saith that about the year 1661 when Marke Hands whent last from this place & Leaving wth me Some trust about his buisness & Especially about his poore Children y^t were motherless for whome he did take more then ordinary Care & Especially y^t now he was Like to Leave them fatherless too at present he desired me to bee Care full over them in his abcesnee & to see y^t thay did not want for nothing y^t might bee for their good & Comfort and he did promise that he would take Care to send means for their Comfortable maintenance & if he had or would send 5 butts of Sug^r unto M^r John Doggett of London y^e Effects of w^{ch} Sug^r should bee ordred unto me here in New-England for y^e use of his children, and to pay Some Small Debts he did here owe, as also he did tell me y^t he had or would order Joseph Grafton who was bound from Virginia unto England in a vessell wherein y^t Said Hands was Interested to deliver y^e Effects of what Intrest was his in y^e vessell for y^e vse aforesd: as also after his departure thence he did advise me by Seaverall Letters y^t Daniell Burr had by his order shipped y^e Said 5 butts of Sug^r for y^e propper Acc^t of Marke Hands and Consigned them unto M^r Doggett now y^e year folowing Cap^t Pearce coming here I aske him if m^r Doggett had shipped any Goods aboard for y^e Acc^t of Marke Hands, but he Said no, but he had shipped Some & Sent them unto Cap^t Clarke, and I Supposing these Goods might bee the goods Marke Hands had given me advice of I went unto Cap^t Clarke to Demmand them as Marke Hands his Goods he owne them to bee Such a parcell of goods & y^t returns of y^e 5 butts of Sug^r but would not owne them as Marke Hands and asked me how marke Hands should come by such an Estate of his owne I replied & asked him how he & other men come by their Estates, and that, y^t was very hard if an Industerous man in so many years as he had been in Barbados & Soe good a time of trading Could gett Soe much of his owne y^t was very hard, but at Last he did tell me y^t if I would take y^e one ife I might have y^t for he Supposed y^t Came out of y^e joynt Stock, I did reply

¹ On 20 July, 1662, Lord Windsor, Governor of Jamaica, appeared at Barbados in command of a fleet, seeking recruits to settle his own colony. Owing to his royal bidding the Barbadian authorities were unable to prevent him from carrying off sundry indented servants and debtors. V. T. Harlow, History of Barbados, 1889.

I would have all or none and so parted but upon Second Considerations haveing occasion to pay Some Small debts for y^e Said Hands I went unto Cap^t: Clarke & was content at present to take y^e one halfe but did never See y^e Invoice of y^e Goods nor what there was come but he did tell me there was ten bar^{ls} of Powder & as I remember Some Ruggs & other Goods the halfe of w^{ch} he said I might have I did at present take one bb: of powder & presantly after Cap^t Clarke fell Sick at m^r: Treeks and there I went unto him for another w^{ch} m^r Treek did Deliver me & before I went for any more here Came News of m^r Hands his Death & then Cap^t Clarke would lett me have noe more, though I did make y^t app^r by a bill of Loading that Mark Hands did send me and did shew y^t unto Cap^t Clarke wherein was Expressed y^e 5 butts of Sug^r Shipped by Daniell Bur for y^e proper Acc^t of Marke Hands and Signed by Amos foard who did Carry y^e 5 butts from Barbados to London but this bill of Lading I cannot Since finde and know not wether I Left y^t wth Cap^t Clarke in his Counting House or not, also there is Several Letters y^t I did make y^t appeare to Cap^t Clarke y^t he had nothing to doe wth y^e Goods y^t he hath Kept all but y^e 2 bb^s of powder Neither did there ever Come y^e worth of one peny to me of y^e Goods shipped in Joseph Grafton or any acc^t: of y^t and further Saith not.

John Winslow

Sworne in Court y^e 31th 11m^o 1671 as Attests FreeGrace Bendall Cleric.

Clarke's reasons of appeal have not been found; Brackett's and Brattle's answer thereto (S. F. 1090.3) alleged that there was no effect in the summons, and reviewed the facts in the case, with a good many references to "widdows" and "orphants." "His pretence of producing an account in company to y^e last court is a meer collusion . . ."; and in conclusion:

. . . it is humbly hoped that it will be evident y^t y^e orphants Interest is unjustly detained or interrupted by y^e now [plan]tiff under colour and pretence of partnership, & that upon that single con[sidera]tion the judgment now appealed from is just and legall, and that the cours of commerce and faith that is given in trade, reason, reputation, religion, & definitive law y^t is established by y^e most high & just judg. Exodus. 22. 11th determineth y^t an oath of y^e land ought to be between us, or if y^e goods be by any dividable Interest torn in peices, let him bring it for a witnesse. And in y^t judgment y^t y^e only wise judg shall direct this honoured court to give we shall acquiesce in y^e orphants behalf, & pray y^t in this & in all other your determinations yⁿ may have divine assistanc and direction, being

Your honours Suppliants and servants.

Tho: Brattle
Peter Brackett

Boston the 5th of March 1671/2

See also the next two entries in the text, and below p. 79.]

BRACKETT & C. V. CLARKE

Peter Brackett & Thomas Brattle Guardians as afores^d against Cap^t Thomas Clarke Defend^t according to Attachm^t Dat y^e 25th of January 1671 the pl^t withdrew his Action.

BRACKETT &c v. CLARKE

Peter Brackett & Thomas Brattle Guardians to John Hands Excecutor to his father Marke Hands plaintiff against Cap^t Thomas Clarke Defend^t in an Action of reveiw of a case tryed at a County Court held at Boston January 1666 wherein Judgement was giuen against the said Brackett & Brattle as guardians vnto the said John Hands in the sume of two hundred six pounds six shillings & three halfe penny & due Damages according to Attachm^t Dated the 25th of January 1671 . . . the Jurie . . . found for the Defend^t costs of Court which was eight shillings & nine pence.

BRACKETT &c v. KENT

Peter Brackett & Thomas Brattle as aboues^d plaintiffs against William Kent Defend^t in an Action of the case for withholding the third part & better of Rent due for the howse that the said Kent Liveth in beeing to the vallue of tenn or Eleuen pounds in Money & Due Damages according to Attachm^t Dated the 25th of January 1671 . . . the Jurie . . . found for the plantiffe Eleuen pounds in money & costs of Court twenty three shillings & two pence.

Execucion Issued y^e 15th of y^e 1st m^o 167¹/₂ for 12^{li} 3^s 2^d [18]

SAUSAGE v. SMITH

Thomas Sauge Jun^r plaintiff against Cap^t James Smith Defend^t in an Action of reveiw of a Case tryed at a County Court held at Boston for thirty six pounds due for the said Smiths wiues passage & his Childrens from England according to Attachm^t Dated the 10th of January 1671 . . . the Jurie . . . found for the plaintiff twenty six pounds in money & costs of Court which was thirty six shillings & fowre pence.

ATKINSON v. WILLIAMS

Theoder Atkinson Sen^r plaintiff against Cap^t John Williams Defend^t according to Attachm^t Dated the 24th of January 1670. The Court (haeing considere the Attachm^t with what was produc^d & prou^d in Court against the plaintiff Theoder Atkinson) doe Judge that as there was no ground of Action, soe it was a vexatiose suite

SARAH BUSHNELLS Guardian

Sarah Bushnell appeared in Court & made choise of Cap^t James Oliuer to bee her Guardian w^{ch} y^e Court Allowed & hee accepted.

MARY GEFFS's Guardian

Mary Geffs Appeared in Court & made choise of Docto^r Daniell Stone for her Guardian w^{ch} y^e Court allowed & hee accepted.

Court Order for Setlem^t of GEFFS's Estate

The Court ord^{rs} that for y^e settlement of y^e Estate of y^e Late Joⁿ Geffs, his Relict having disposed of her Selfe in Marriage [22] to Cap^t Eliz^a Henry Nelson & is now leaving y^e Country that y^e s^d Relict Sarah Geffs (now Nelson) shall have one third part of y^e housing & land during her naturall life & one third of the Moveables is absolutely given to her & the Remaind^r of y^e Estate to bee divided between the Children.

JOⁿ HANDS ags^t CAP^t THOMAS CLARKE

Leiv^t Richard Cooke, M^r Humphry Davie, M^r Joⁿ Winsley & M^r Anthon: Check by all appointed by this Court & consent of parties to Audit all Accompts betwixt Peter Bracket & Tho: Brattle Guardians to Joⁿ Hands &^e pl^t & Cap^t Thomas Clarke Defendant relating to all Transactions of partnership formerly had betwixt y^e s^d Thomas Clarke & y^e late Marke Hands, & to make report to y^e Court of this County as soon as possible wherevpon y^e Acion is withdrawne.

[See above, pp. 45-52.]

JOⁿ PAINE to JOⁿ FREAKE

Boston pr^o Feb^r 1671. M^r Joⁿ Paine appeared before major Eleaz^r Lusher & Edw. Ting Esq^{rs} & acknowledged a Judgm^t ags^t himselfe & Estate for Eighty Seaven pounds six shillings & Eight pence vnto Joⁿ Freacke paiable in good provitions according to two bills both dated y^e 23th of Feb^r 16⁷¹/₈.

This done as Attest's Free Grace Bendall Cler.

Idem to M^r Atwater, vid. p: 90.