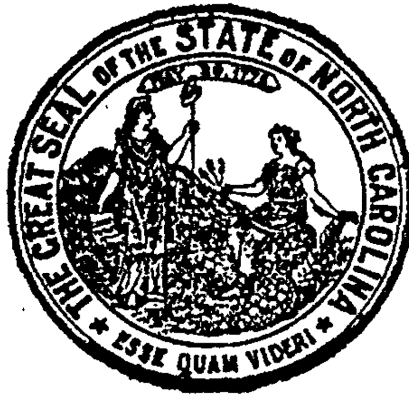


The

NORTH CAROLINA
HISTORICAL AND
GENEALOGICAL
REGISTER

Vol. 3.



CLEARFIELD

J. R. B. HATHAWAY, Editor and
Financial Agent, Edenton, N. C. ❁ ❁

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HISTORICAL AND GENEALOGICAL REGISTER.

J. R. B. HATHAWAY, EDITOR AND FINANCIAL AGENT,
EDENTON, NORTH CAROLINA.



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“ Like leaves on trees the race of man is found,
Now green in youth, now withering on the ground :
Another race the following Spring supplies;
They rise successive, and successive fall:
So generations in their course decay;
So flourish these when those are passed away.
—Pope's Translation Homer's *Iliad*.

Given under my hand & Seal this Eight day of March in the tenth year of the Reign of our Sovereign Lord William the third of England Scotland France & Ireland King Defendr of the Faith Annoqr Dom 1697.

E. ANDROS ○

A Commission appoynting
Edward Hill Esqr Judge,
of the Admirallty.

YOUNG Dept Secr.

A true Copy Left MILES CARY Registr.

GEORGE DURANT SPEAKER OF HOUSE OF BURGESSES
IN 1679—CULPEPPER REBELLION, &c.

(Original Depositions in Court House at Edenton, N. C.)

* George Durant aged 49 years or thereabouts maketh oath yt in ye yeare 1679 ye Depot being then Speaker of an Assembly John Harvey Esqr then Governor & being very late in ye night before ye whole body of ye Acts could be perfected to be signed by ye Governor & Speaker the Governor did depart home Ye Burgesses did deliver the Acts into my Custody for ye Governor to Signe to them the rest of ye Lords Deputies and my Self Signed the Said Acts in ye Parliamt before their departure & I kept ye said Acts in my Custody untill ye Governor had Signed them and then delivered ye said Acts into ye Secretary's Office & further ye Depot testifyeth that these words in ye 58. Art to Say (Votes in elections or any) were not interlyned whilst the said Acts were in my Custody or before ye Governor had signed wch was to ye best of ye depot knowledge at his owne house.

GEORGE DURANT.

The Deposition of John Willoughby Esqr aged Sixty years or upwards & William Craford Esqr aged Forty & Four yeares or thereabouts being both deputys doe upon oath depose yt Mr Holden did in open Court say that there was Neither Governr nor Governmt in ye County.

JOHN WILLOUGHBY WILLIAM CRAFORD.

These above said words were expresst & Spoken in ye month of January 1680/1 before ye Imprisonmt of Mr Holden.

JOHN WILLOUGHBY WILLIAM CRAFORD.

* George Durant was also Attorney General in 1676. From the above it would appear that there was crooked work in legislation at that day as well as at the present. History is constantly repeating itself in every department and place of public work.—Editor.

The Deposition of George Durant aged 50 yeares or thereabouts Saith that Sometime in ye Spring next after Robert Holdens arrivall into these parts Mr Wilkins Master of a Vessell had traded into this County was steering his said Vessell with ye Said Holden his Matie Collector the said Holden did cause the said Wilkins to draw Bills of Exchange for moneys to be paid in Boston for ye penny & pound to be paid to him ye s'd Holden not expressing at all for his Matie & Sometime afterward in ye same Spring ye sd Wilkins arrived here in anoother Vessell came to Mr Holden ye Depot being then present heard Mr. Wilkins tell Mr Holden that he the sd Wilkins was undon for yt he ye sd Holden had caused him to pay him ye Customs of his Ladying in boston in moneys when his employers had ordered him to pay it here in tobaccos Mr. Holden refused to take it & he ye sd Wilkins not following his orders was turned out of his employ & they denyed to pay ye moneys Wilkins was like to pay it himself Mr Holden did then give ye sd Wilkins an Instrumt of writing wch did declare yt ye moneys was his Matie ye Depot then told Mr Holden that ye had a great priviledge in being his Majties Collector for if his money had been paid it had been his to say Holdens butt being not paid it is his Maties and further saith not

GEO. DURANT Sworn in Court.

The Deposicon of Alexander Lillington aged *thirty seven or thereabouts being deposed saith that there were severall bills putt into ye hands of yor depot to receive in Pork for Mr Holden with order to Salt & pack ye same in barrells for him ye said Holden wch yor depot did to ye Quantity of Six barrells wth order from ye sd Holden to mark ye barrells of pork by me sent with ye Letters Ritt butt when ye sd Mr. Holden was seized & a prisonr in ye Custody of the Grand Marshall on board Mr. Joshua Lamb's Vessell he ye sd Mr Holden did give me yor Depot order to mark ye aforesd pork wth ye brand Arrow forthwith wch ye depont did And further saith not.

ALEXANDR LILLINGTON

Sworne in Court ye sd Mr. Holden reading ye same

Alhemarle

William Wilkison aged thirty six yeares or thereabouts being deposed saith that some time in Feb 1680/1 being at the house of Mrs Alice Varnham I heard Mr. Eleazer Clark say yt Mr Robert Holden had Sent him for to alter ye mark of ye porke wch did belong to him ye said Holden and to mark it with ye brand Arrow the marke on ye barrells was Ritt to ye best of my remembrance being near thirty barrells in Number the Pork yt was in them was about Seaven

* Alexander Lillington was therefore born in 1644 —EDITOR

thousand as by Mr John Vanham's acct did appeare & yor Depot recd a note that ye sd Clark had brought from ye sd Holden at ye time to that purport & for ye delivery of ye same Pork Butt Mrs Varnham refused without a receipt from under ye sd Holdens hand & further saith not

WILLIAM WILKISON

Sworne in Court, Mr Holden himself reading the same.

The Deposicon of Anthony Slocumb Esq one of ye Lds Proprs Deputies aged Ninety yeares or thereabouts saith yt yor Depot administred an Oath to Capt Haron's Mate & two of his Seamen about his * * * * * his Maties * * * * * ye words of ye three Men's deposcins are as follth yt their Capt had put Severall hhds of Rotten Tobacco on Shoare wch Mr. Holden had marked wth ye broad Arrow to pay ye King & yt they had made their Informamt Least they should loose their wages there might be some more words wch I doo not well Remember & your Depot saith yt ye above sd Mens depositions was taken in January 1680 before ye sd Holdens Face & further yor depot saith not

ANTHONY \bowtie SLOCUMB
his Marke Sworn in Court.

The Deposicon of Thomas Harrison aged 34 yrs or thereabouts saith That Capt Haron sent for him to Repack some Tobacco & when ye depot had repact about three or four HHds he found it so Rotten & bad yt he told him he thought it would not be worth his time to Repack it ye sd Capt Haron said he did not know what to doe with it he thought it would not be worth his carrying home then ye said Capt Haron asked yor Dept if he might putt Six or Seven HHds in his Tobacco house to wch yor Depot Consented then ye said Capt Haron sent a shore the sd Tobacco being about Six or Seaven HHds & ye sd Capt Haron told yor Dept perhapps he might gett somewhatt for it when the New England Men came in. And after ye Tobacco had been there Some Considerable time Mr Holden came with Capt Haron & received & marked ye sd Rotten Tobacco & by his ye sd Mr. Holdens Order was shipped on board ye sd Capt Harons Vessell againe and further yor Depot saith not.

THOMAS HARRISON his marke Sworn in Court.

Richard Foster Esqr. aged sixty yeares & upwards upon Oath deposes yt Major Holden being at my house with Mr Feasey there hapened words about Tobacco Mr. Feasy saying that ye Tobacco was Rotten & he would not take it on board And Major Holden said yt ye sd Feasy should take it on board and to ye best of my knowledge ye said Tobacco was Carried on Board

RICHARD FOSTER Sworne in Court.

George Durant aged 50 yeares or thereabouts maketh oath yt some time in ye yeare 1681 ye Depot being in London when Capt Haron arrived from Carolina in ye Ship Carolina ye sd Capt Haron did relate to ye Depot yt Mr Robert Holden did Send Some tobacco on board his Ship wch ye sd Haron wouldnt receive it was so much damnified & rotten butt Landed it againe after wch ye sd Holden Shipt it again on his Maties accot ye Seamen Murmuring fearing when they arrived in London ye Tobacco should be Surveyed & ye damage Abaited from their wages did make affidavit of ye condicon of ye said Tobacco when shipped before ye Authoritys in Carolina wch affidavits he carryed to London, For all wch ye Tobaccos was Surveyed & above twenty Pounds damage found on ye sd tobaccos was Charged on ye Ship & abaited from their wages & further saith not. Sworne in Court.

GEORGE DURANT.

The Deposition of Peter Mayfield aged Twenty Eight yeares or thereabouts saith that he asked Thomas Harrison what Tobacco yt was he had a shore in his house & he told yor Depot it was Capt Harrons tobacco & he doubted he had donne himself a great deale of Injury in Lending his Tobacco house For he did not know how long it might be before Capt Haron would take it away & Thomas Harrison desired yor depot to Ask Capt. Haron if he would remove it before new Tobacco came ye sd Capt Haron told yor Depot he would have Paul Latham his Attorney to see if he could gett any thing for it of ye New Engld Men For it is so rotten it is not worth two shillings a hhd Afterwards Mr Holden came wth Capt Haron & recd ye aforesaid tobacco wch was Shipt on boærd ye sd Haron afterwards yor Depot met wth Capt Haron & he desired yor Depot to goe about wth him & coming ashoare to Capt Craford's Capt Haron told yor Depot he would see what a Devil made Mr Holden send this rotten tobacco ofer Engld for ye King which he had turned on shoare then he desired his men to go ashoare to complaine to Capt Craford yt he might be secured of his freight for it was soe rotten he doubted they would not receive it in Engld For he did not care to be seene in it for fear of gaining Mr. Holden's Displeasure & he said Capt Craford would not take any notice of them & further yor Depot Saith Not. Sworn in Court.

PETER MAYFIELD his Mark.

The Deposition of Paul Latham aged 36 yeares or thereabouts—Saith—That Capt Tho Haron being to pay Mr Robert Holden a Considerable Quantity of tobacco for his Maties use recovered by order of Court in order thereunto ye sd Capt Haron delivered unto ye sd Mr Robt Holden sundry bills & accts of tobacco recd & ye sd Capt Haron told yor Depot he had send all HHds of tobacco aboard

that were so bad if he should carry them home they would bring his owners in debt & he would put what bad tobacco he had ashore at Thos Harrisons & leave yor Depot his attorney to sell if he could gett anything for it of ye New Engld Men & ye Next time yor depot saw ye sd Capt Haron he told yor Depot yt since ye News of Mr Culpepers arrival he perceived Mr Holden was willing to gett what he could out of ye Country for he would not stay to receive new tobacco but recd most part of his old tobacco & shipped it aboard ye Carolina for ye Commissioers of his Maties Customs & furthermore ye said Capt Haron told yor Depot ye said tobacco was soe bad he doubted the Commissioers would not pay him his Freight for ye same great Men to contest with Sworne in Court

PAUL LATHAM.

Albemarle

Alexandr Lillington aged Thirty Seaven yeares or thereabouts deposed Saith yt Some time in ye yeare 1679 in ye month of November being one of ye membrs of Parliamt & alsoe one of Ye Comitty we did Order Mr Robert Holden being Also Member of their Comittee & Collector for ye County to pay Mr John Wilson out of ye Coleccons for a certaine Quantity of Powder & Shott wch ye Country had pressed for ye use of ye County yor Depot did heare Mr Robert Holden say yt he could not receive tobacco enough of ye Country to pay ye sd Wilson for ye Powder & Shott wherefore he would take ye powder & shott upon his acct & pay Wilson for ye Same And further yor Depot Saith not Sworne in Court.

ALEX LILLINGTON

Albemarle.

William Wilkison aged thirty six yeares or thereabouts being deposed Saith yt Sometime in ye yeare 1679 in ye month of November being one of ye Members of Parliament & one of ye Committee wee did order Maj Holden being one of ye Committee & being ye Collectors' for ye Countrey he was ordered to pay Mr John Wilson for a Quantity of Powder & Shott wch ye Countrey had prest Some time before ye sd Holdens arrivall into this Countrey neer two years ye pay to be out of ye Public & ye wch powder & Shott he ye sd Holden did convert to his own use Selling upard of Thirty Pound of Powder & neere a hundred pound of Shott wch he sold to ye Varnham for hydes & 49 lbs of shott to my owne use soe yt when ye Countrey was in feare of a Warr wth ye Indians there was noe amunition in ye three upper precinct to be gott out of ye Magazene & Robt Windley comeing to him to gett a pound of powder he said if he would give him Forty Shillings for a pound he had none & further Saith Not — Sworne in Court

WM WILKINSON.

Willm Pyle agd twenty three yeares & upwds being deposed Saith that yor Depot, in or about the month of June 1680 yor Depot wth one Capt Edwd Duffell Mr of a Bark belonging to ye Island of Barbadoes & Consigned to Mr John Culpeper & yor Depot at wch time as aforesd yor Depot with ye sd Duffell came to Mr Holden to Enter Severall HHds of tobacco to Send out into ye sd Barque & ye sd Holden told yor Depot & ye sd Duffell that noe tobacco should be transported hence to ye American party without paying two pounds of tobacco for every pound soe shipt or one penny sterl money of Old Engld. & further yor Depot Saith yt ye sd Duffell & yor Depot would a shipt at least Twelve HHds of tobacco If not prevented by ye sd Holden through his unjust demands & further saith not. Sworne in Court

WM PILE

John Hunt aged Thirty Eight Yeares or thereabouts declarate & saith that being part owner of ye Sloop Hope who went Leaden from this uper part of ye Countreys with Tobacco to New Engld by order of Robt Holden on his Maties accot from whence she Returned to Curratuck where he took in another Load on ye same accot at wch time being in or about September 1680 I went my self & coming to New Engld to deliver ye tobacco & Informing ye Governor there our business as yt we were Loaded with Kings tobacco he Replied he admired what ye Kings tobacco does there & feard it might draw their Countrey into Some trouble butt upon delivering the tobacco to Benj Davis & Joshua Lamb to whome it was Consigned it proved soe bad that Benj Davis told Joshua Lamb he would have noething to doe with it butt searching further it appeared ye fault was not in ye Vessell but ye tobacco much bryers grasses & woods being found therein wch had growne therein ye Cask and much Rottenesse was found in Nine or ten HHds or more to ye great admiration & Clamour of ye by Standers butt Especially of Benj Davis who thereupon said he would have noe further to doe wth Robt Holden & further saith not.

JOHN HUNT

I doe further declare that desiring to ship foure or five hhds of tobacco to barbados was denyed soe to doe by Robert Holden ye Kings Collector Except I would pay two HHds Custome for one to be shipt wch I thinking unreasonable refused ye same service wch ye sd tobacco Rotted & is Come to Noeteing this refusal was made me by Robert Holden about ye month of May 1680.

JOHN HUNT

The Deposicon of Samll Pricklove Deputy Comptrol & Surveyor of his Maties Customes in ye Countye of Albemarle in ye Province of Carolina under Mr Timothy Biggs Comptrol & Surveyr Generall of ye Customes in ye Place above sd aged Forty Nine Yeares or

thereabouts being sworne & examined saith that Mr Robert Holden on ye 29th of September 1679 released to Joseph Chase three baggs of Ginger seized by me for his Matie as Imported Contrary to Law And yt he ye sd Mr Robert Holden on ye 9th of October 1679 did theare Capt Walter Peare Comandr of ye Ketch Speedwell being Laden wth 22 hhds of ye said Holdens own Tobacco for New Engld being in Cask & bulk amounting to 8230 lbs of Neat tobacco besides 3 hhds More belonging to ye Seamen And when I demanded how ye King's Customs were to be discharged he called me Foole & Loggerhead Saying I had nothing to doe with his Consernes he knew how to pay ye King easy enough. And ye sd Holden Likewise warned ye Masters of Vessels not to owne me as an officer telling them they need not make their entrey nor steering to me nor lett me Survey their Vessels And on ye 4th day of February 1679/80 ye sd Holden by a writt under his owne hand in his own accon caused ye Marshall to arrest me on board Mr John Jenkins his Bark wth out Bayle or Maineprize when I was in execucon of my office in his Maties affairs And denyed to Conferr with me ye day before in matters concerning his Maties affairs being sent on purpose by ye Comptrol & Surveyr Genll And on ye 17th of March 1679/80 ye sd Mr Holden did deny to conferr wth or give any acct to me of his actings in his Maties affairs as was enjoyned him by the Comissioer especial Letter then newly come to hand in relation to Severall Psons that had acted contrary to Law Likewise forbid me to Survey Edward Ashley or to go aboard of him or any other Vessel on yt acct. If I durst threatening me on my peril not to officiate in his Maties affairs and said he did not Look on me as any of his Maties officers And further yor Depot saith not.

Sworne in Courte SAMUEL PRICKLOVE

Deposicon of Edward Waad aged 38 yeares or yrabouts saith ye depot was going to Corratuck some consernes I had yt Mr Biggs desired me to give his Deputy Mr Robert Scott A passage with me to depute Mr Thomas Bayley as his Deputy because of Mr Samll Prickloves comeing up from thence he should have noe deputy there as soon as we came to Coratuck we made all the hast we could to Mr Bayleys house where ye sd Mr Scott delivered Mr Bayley a deputation from Mr. Biggs to be Comptrol & Surveyr of Coratuck from hence Mr Scott & my Self went to Mr Thos Tull where we staid two or three daies & then Returning back againe to Mr Bayley's house it was nere dark before we come there thinking ye next day to come for Little River butt about 8 or 9 aclock in ye night comeing ye Constable & John Saunders wth Men in Armes & Seized & Searched our pockets for writings according to Holden's Warrt for he had noe lesse than three Warrts out agest us to be brought before

him to Answer wt should be alleiged agt us in obedience to his Wart we came to him though at midnight thorou Mud & bryers when we come to Maj Fosters they were abed, in ye Morning after Mr Holden was up I asked Mr Holden what reason he had to send a wart for us as he told me I should know when he came to Capt Willoughby's when we came to Capt Willoughbys I asked Mr Holden who was my accusers & what was alleiged agt us with yt Mr Holden & Capt Willoughby went out into ye Orchard for Some time & perused our papers & when they came unto ye house we Came againe & asked Mr Holden again what he had to charge us with yt Capt Willoughby spoak to me & told me Mr Holden had made his complaint agt mee with yt Mr Holden Spoak yt he was Informed by Thomas Lepers yt I & 7 or 8 more should be at ye sd Lepers house a day or two before Mr Miller made his Escape & would not suffer ye Marshall to come near Mr Miller whilest he was writeing day & night on his Informacon Capt Willoughby writ our Mittamus & we going to prison with Mr Holden in our rode we came to Mr Bayley's house where he charged Mr Bayley not to Act Mr Biggs nor make no Seizes if he did he would chayn him up & further Saith not — Sworne in Court

EDWARD WAAD.

Albemarle.

Edward Smithwick Aged thirty three yeares or thereabts Depoeth Saith. That on the 30th day of June 1680 Mr Robert Holden Caused ye Depot to be brought before him ye sd Holden with a writ. under his owne hand in his owne name to ye house of Anthony Slocumb Esqr. where your Depot was much abused by ye sd Holden calling ye Depot Rascall & Incorrigible Rogue & Severall other Such like words On ye 1st July 1680 Yor Depot was remitted a Prisoner without bayle or mainprize in ye Face Chowan precinct Court by ye sd Holden to ye Custody of Capt Woollard On Second of July ye yeare 1680 Yor Depot was arrested in prison in an accon of Ditteny by ye sd Holden or at ye Suite of ye sd Holden on Sixth of July yor Depot had bayle aforded him yor Depot putting in bond to answer to what ye sd Holden had to alledge agt yor Depot. On or about ye Twelfth of Septembr Capt. Woollard Seized yor Depot as his Prisoner he not showing yor Depot any wart or mittamus For ye Same yor Depot being kept under ye sd Wollards Custody till October ye 20th or thereabouts from thence ye Depot was Fetcht away by Mr Holden order by two Men in Armes on board of a boat where ye sd Holden was Carryed to ye house of Anthony Slocumb Esq where ye sd Holden Caused yor Depot to be pinioned with a lyne & soe Carryed yor Depot to Coll Jenkins then Governr where ye Depot was puttt into Custody of Charles Jones then Deputy Marshall to be conveyed to ye Logg house in Pequimans precinct where

yor Depot was Kept three weeks or thereabouts not having ye Liberty to walk without ye prison doore with ye Keeper to Refresh himself butt was forced to Eat drink lye & relieve Nature under one Roofe till yor Depot with Severall others Mr Wilkerson John Kinsey & ye wooman accused for withcraft were almost poysoned with ye noysome sent of the prison from thence yor Depot was brought to the house of Mr George Durant and there kept in a close Roome under a guard not daring Not haveing ye Liberty of any friend to discourse with yor Depot excepting yor Depots wife nor have the Liberty to get out upon any occasion with a man or two in Armes to guard yor Depot Notwthstanding yor Depot was Indicted butt by whome yor Depot knows not but Inquiry was made by the Grand Jury wch Jury brought their Verdict in Ignoramus. And further yor Depot saith not. Sworne in Court.

EDWARD SMITHWICK.

Wee whose names are undrwritten being upon a Grand Jury in Novemr 1680 at yt time Severall Indictments were exhibited agst Wm Wilkison Edward Smithwick and Severall others doe hereby declare yt Robert Holden Esqr being amongst telling us yt ye his word upon his hour was as good as twenty oaths in Law threatening as if we should deny ye same by wch assertion & threatning wthout any other Evidence we found two bills agt ye sd William Wilkison wch otherwise we should have found Ignoramous & further saith not this we declare to ye best of onr knowledge—Sworne in Court.

ALEXANDR LILLINGTON Foreman

THOMAS HARVEY

WILLIAM WOOLLARD

Albemarle

The Deposicon of William Wilkison Aged Thirty Six yeares or thereabouts being deposed Saith. That Sometime about ye 15th of October 1680 yor Depot was arrested by Capt Wm Woolward by a writt from under ye hand of Robert Holden & caryed to ye house of Esqr Slocumb to Answer ye complaint of Mr Joseph Chew but when ye Depot came to said Esqr Slocumbs house he found not ye Complt there butt about some three or four hours after my comeing there ye sd Chew came whereupon yor Depot told ye sd Chew he was Come to answer his complt The sd Chew replied & protested in ye presence of Mr Bonner that he had not made any Complt agt yor Depot butt Mr Holden & ye Said Chew goeing forth into ye yard of Mr Slocumb after Some discourse ye said Holden & Chew had together they came into ye house againe & ye sd Holden told ye sd Chew That Sometime in March Last he had made complaint of some Abusive words he ye sd Chew had vent from yor

Depot & calling yor Depot before him makeing ye sd Chew Sett at ye table & then related ye words of ye sd Holden asking yor Depot what he had to say in Defense of himself Yor Depot desired that ye Charge might be proved whereupon ye sd Holden broak out full of passion & sd that ye sd Chews words were Sufficient proof Yor Depot then told ye sd Holden yt it was not Law ye sd Holden Relyed it was Law & he would make it Law And he said he would be my Judge whereupon I appealed for a hearing before ye Grand Councell proffering to give bond to Answer ye Complaint before ye grand Councell butt he told yor Depot that he should have no bayle butt should goe to ye Logg house without bayle or Maineprize And thereupon drew yor Depots Mittimus & gave it to Capt Woolward & to take yor Depot into Custody to Carry yor Depot into Piquemons goal though many Intreatys were used to ye Contrary for yor Depot stay wthin ye precinct wherein yor Depot lived butt ye sd Holden refusing ye Intreatys of Severall Responsible persons to that effect threatning that he would have yor Depot in ye Logg house Or he would Sink ye precinct wth many more threatning words whereupon yor Depot comeing to ye house of Coll John Jenkins then Governor ye sd Governor hearing of what was donne to yor Depot did Order yor Depot should keepe himself a prisoner in Chowan precinct & ye sd Governor become bound body for body for yor Depots appearance at ye next generall Court but ye next day Mr Holden hearing what ye Governor had donne abused ye sd Governor & Esq Slocumb with Scurrelous & unbecoming speeches calling them Old Fools And ye sd Holden sayd he made Jenkins Governor & yt ye Governor should answer for what he had donne Telling yor Depot further that he was already Governor & had greater power Likewise ye sd Holden comeing to Depots house with Five or Six Men in Armes in ye dead time of Night Some three or Foure hours before day comeing into ye house yor Depots wife hearing a noysse in ye house & Man calling yor Depot by his name yor Depots wife asked who was there ye Man answered Edwd Wilson whereupon yor Depots wife awaked yor Depot & told him what she had heard Yor Depot getting up in Shirt came to ye Dore And after Some Consideracon he him self asked who was there wth yt Mr Holden cryed out Seize him Seize him Yor Depot asked for what The said Holden sayd yor Depot was his Prisoner yor Depot answered againe he had donne noething but what he had ye Governors permission for Whereupon he told yor Depot ye abov sd Relecon in saying he was above ye Governor & then halled me out into ye yard without any Clothes saveing my Shirt & Shoes in a very cold frosty night whereupon Some of his guards

asked ye sd Holden what he was afraid of And sayd cannot you Lett ye Man goe into ye house to putt on his Clothes whereupon yor Depot was carryed into ye house againe The sd Holden holding a Naked Sword & a Cocked Pistoll at my yor Depots breast And after yt yor Depot had putt on his Clothes ye sd Mr Holden caused yor Depot to be carryed down to ye boat And here pulling a Lyne out of ye Knees of his breeches caused yor Depot to be pinioned with it & soe Continued all ye day following except ye time yt we were eating our breakfast Then by another Mittimus caused yor Depot to be sent to Goal wth private Instruceons to ye Marshall to putt yor Depot in Irons as hath already appeared to yor Honors under ye said Holdens owne hand writeing soe yt for almost three weeks yor Depot was forced to eat Lye & **** ** ***** wth three more men at ye same time in prison with him not suffering ye dore to be opened to give in air Soe yt we were almost poysoned with ye Stink thereof And when yor Depot come to ye Court he ye sd Holden caused a guard of Six Men to watch over us Not Suffering any person to come neare us except our wives And further to show his Malice yor Depot goeing forth did Cock his Hatt as he ye sd Holden called it not seeing ye sd Holden Whereupon ye sd Holden Sæeing yor Depot doe Soe Calling to Mr Davis ye Grand Marshall Asked him why he did not putt yor Dept in Irons (only for yt very act of Cocking his hatt) as ye sd Davis told your Depot he comeing down Imediately from him ye sd Holden And further would suffer ye Dore nor windows to be Left open thereby to hinder us both from ye Light & Company of our friends till Order was given to ye Contrary from ye Court The sd guard aforesd being Raysed without ye Knowledge of ye Governor or Grand Councill as they did then declare Butt when yor Depot come to the hearing of ye Crimes alleadged agt yor Depot & Inquiry was made by ye Grand Inquest thereof All that he alleadged was found to be false excepting Some words that passed betweene ye sd Holden & yor Depot as he said Wch he had no other Evidence to prove butt upon his honor affirming to ye Jury That they were to Looke upon what Evidence he gave upon his Honor to be as Authentick in Law as ye Oathes of twenty other men as from under his hand doth appeare Threatning ye Jury If they should deny or refuse to accept of ye same as great part of ye Jury hath already deposed to yor Honors And further saith not Sworn in Court Oct ye 10 1***

WILLIAM WILKISON

The Severall Depositions being in Number Twenty were Severally examined by and are true Coppys of the Originals taken by me
HENDERSON WALKER."