

Liber B. were Dead, which the Sheriffe was to See performed and Soe God have Mercy upon their Souls. which Execucōn was performed the Same Evening accordingly.

The Same day upon the rising of the Court the Govern^r adjourned the next Generall Provinciaall Court (formerly appointed to be held the twentieth of October next) untill the first day of December next, and all Warrants, Sumōns p^{ro}cess and references formerly made out and appointed for October Court to be reinforced and Stand Good for that Court.

p. 486 It is Covenanted and agreed on between Paul Sympson of the one party and Walter Peakes on the other party as followeth viz^t That in prosecution of a former Condi^{ti}ōn all bargaines, Sales, contracts and other Acts made by either party to any person or in any kind be ratified and held for Good and Effectuall Notwithstanding any Clause or proviso in the Said Condi^{ti}ōn to the Contrary, Item that both parties Shall and hereby are in all things and in all respects be and remaine Copartners as well in their own particular ingagem^{ts} as in what is oweing to either of them from any person whatsoever or to any person and be alike lyable to eithers ingagem^{ts} and of Equall power both to receive and discharge & either receipt or act to be Valid and of like force, Item That all Lands, houseings, Buildings, Erections, Servants Cattell houshold Stuff, debts, Goods, Merchandize thing or things Whatsoever be and remaine in Comon and for the use behoofe and benefit as well of the one as the other and all Charge whatsoever be alike Equally defrayed Item, That a true and Iust accompt or Inventory of each mans particular Estate be to the best of their knowledge produced and made appeare upon the Ensealing hereof and laid together as Cōmon & for the use aforesaid, Item that each party faithfully, truely and honestly Endeavour to their best abilities to advantage the Said Estate and that neither party willingly conceale any thing nor Injure one the other, Item that Whereas there are now Severall Suits and actions commenced one against the other, which if continued may prove prejudiciall to one the other, and weaken their Estates, that upon the Ensealing hereof they Surcease and that each man certifie the Same to the Sheriffe by a note under their hands that the Said actions may be withdrawn, Item It is further Agreed on by desire of both parties and to give further Satisfaction to the world, and that Noc Cause of Scandall further acruer that it be Expressed th^t they live not together but apart in two Severall dwelling houses or places and not in the Same habitation And in regard It is unanimously Soe concluded on that the Stock remaine in the custody of the Said Peake, and he and his wife