

Liber P C in as good plight as they were against the said Thomas Mathews which being granted and the Said Def.^t therewithall served he appeared by his attorney aforesaid but shewed noe cause to the Contrary of the Reviveing of the Suite aforesaid whereupon the said former Suite and all the Proceedings thereupon were by an order of this Court revived to Stand in the Same Plight and Condiçion as the Same were at the tyme of the Death of the said Thomas Mathews the elder And the said Cause Soe Standing this present day was appointed for hearing thereof On w.^{ch} day upon hearing & debateing of the matter in question as aforesaid and upon Reading of the said Bill and answer the severall depositions taken in this cause and that by the Same proofs itt did well and Sufficiently appeare and the whole Court were fully satisfied and soe declared that the said Cap^t William Hawley did make a will in writeing and thereby did devise and bequeath all the Said Severall lands tenements and premisses before mençoned to the Comp.^{lt} his god Sonne & his heyres for ever and that the said will was in the tyme of the late Usurpaçon by ffendall and fuller or (as his honn.^r the Chancellour deposes) it might be recorded by Henry Hide in the yeare one Thousand Six hundred Sixty being dureing that Said Usurpaçon of them and their Complices and that itt might be burnt with other their pretended Records by his Honn.^r the Chancellor, according to an order given him by the Right hon.^{ble} the Lord Prop.^{ty} that the said Nicholas Guyther father of the Complaynant had noe Right or title in Law or Equity to Sell or dispose of any part of the Said Lands & premisses to any person or persons whatsoever from the said Comp.^{lt} in whome only the Estate was and that the Said Comp.^{lt} being an Infant under age was not bound by any act done by his ffather or any other as his Guardian Soe much to his Prejudice and that all Contracts and Sales by the Said Nicholas Guyther or any other since the Death of the Said William Hawley and dureing the minority of the said Comp.^{lt} are voyd in Law and that the said Defend.^{ts} title in and to the said four hundred Acres of Land ought to be sett aside and that the Defend.^t Thomas Mathews the elder had sufficiently reimbursed himselfe the purchase money by him supposed to be paid by the pception of the meane profitts with an over plus and that the title of all other the said Defend.^{ts} in the Bill mençoned to any part of the said Lands and premisses by vertue of any Sale or purchase from the Said Nicholas Guyther are likewise voyd and of noe force to barr the Clayme of the said Comp.^{lt} in and to the same and doth therefore think fitt and soe order adjudge and Decree that the said Comp.^{lt} doe and shall have hold and enioij the said Lands and premisses w.th their appurtenances lyeing att S^t Jeromes as aforesaid and before particularly mentioned to him & his heyres for ever according to the true intent and meaning of the said W.^m Hawley in his Last will and testament aforesaid in an absolute Estate