

Liber P C Stephen Mountague as aforesaid and with the Generall Traverse he Concluded his answer To which answer of the said defendant the said Richard replied but before any further proceedings were had in the said cause the said Richard Beck the Comp^{lts} ffather dyed leaving the Comp^{lt} the Infant his Daughter and Coheyre And thereupon they did in June Court one thousand six hundred seaventy Eight Exhibitted their bill of Revivor into the said Court against the said Defendant to have the said suite revived and stand in such plight and Condiçon as it did at the time of the death of the said Richard and did also pray to bee releived touching the said Trust and that pcesse of Supā might bee also awarded against the said Defendant to appeare and answeere the said bill of Revivor w.^{ch} being likewise graunted and the said defendant therewith served hee appeared accordingly and did not oppose the Revivor of the said suite and the same stood Revived accordingly and the said parties being att issue severall Wittnesses were Examined in the said Cause and their deposiçons duely published according to the rules of this Court As by the said bill answeere Replicaçon Examinaçon of Wittnesses and other pceedings had in this Cause all of them remaining of Record in the Secretaryes office may more att large appeare. And the Said causes soe standing this day was appointed for a heareing thereof This Court thereupon and upon reading of the Will of the said Stephen Mountague and the deposiçons taken in this cause was fully satisfied that the said Trust was well and sufficiently proved to be to the use of the said Comp^{lts} and their heyres forever and that had not the said Trust beene soe effectually proved as it was upon the hearing and debateing the matter in question betweene the said parties in the presence of the attorneys on both sides and the Comp^{lts} bill of Complaint and bill of Revivor and the Defendants answeere and Comp^{lts} Replicaçon being openly read and and heard and severall Wittnesses examined and their deposiçons duely published, and upon hearing and debateing thereupon this Court thereupon and upon hearing the Will of Stephen Mountague in the bill of Comp^{lt} mençoned and the deposiçons taken this Cause was fully satisfied that the said Trust in the bill of Comp^{lt} mençoned was well and sufficiently proved to be to the use of the said Comp^{lts} and their heyres for Ever And that had not the said trust bin so effectually proved as it was, Yet it appeared to this Court that the said defendant had noe right or title to the said Land called Howland by the said Will there being noe disposiçon thereof made by the said Will and that the word [Generall heyre] cannot create to the person soe named any estate of inheritance doe therefore thinke fitt and soe order and Decree that the said Comp^{lts} and their heyres doe hold and enjoy the said Land and premisses called Howland to them and theyre heyres for Ever according to the trust aforesaid and that the