

being desirous to reimburse himselfe the tobacco hee haid paid the said Vincent in his life time for the purchase thereof, the said Comp^{lt} the three & twentieth day of June 1677 sued Out of Our provinciall Court a writt of debt against the said sam^{ll} Tovey as Adm^r of the said Vincent Atchinson deceased for the said bond, for makeing the said Comp^{lt} a sufficient Deed or Conveyance of the same and acknowledgeing thereof as aforesaid, the said Complayn^t soe farr proceeded in the said Ac^{con} against the said Adm^r that att Our Prov^{all} Court held att our City of st Maryes the tenth day of Aprill 1678 The said Comp^{lt} recovered Judgment against the estate of the said Vincent in the hands of the said samuell Remyning for the penalty of the said bond being the sune of Twenty Thousand pounds of tobacco, and five hundred fifty and two pounds of tobacco costs of suite, and the said Comp^{lt} sued Out a writt of fieri fac^s out of the same Court to the same sheriffe of Kent County directed, to Leave the Said debt and Costs of the goods and Chattells of the said Vincent in the hands of the said samuell, But the said Sheriffe Returned That any of the goods and Chattells of the said Vincent in his Baliwick he could not finde whereupon to make the Debt and Costs aforesaid, Whereupon the said Comp^{lt} not being likely to reape the fruits of the said Judgment and execu^{con} without hee could Discov^r what goods and Chattells of the said Vincents came to the hands of the said Adm^r, and how hee had Disposed thereof, The said Comp^{lt} therefore applyed himselfe to the Comissary gen^{ll}, and procured the said sam^{ll} to be Cited to rend^r an Accompt of his adm^{con} of the Estate of the said Vincent, Wth w^{ch} hee being served, in obedeince thereunto the said samuell the Eight and twentieth day of June last past Did appeare before the said Comissary at his house att the City of S^t Marys in p^{son} and then & there Did exhibit an accompt of his said adm^{con} to the said Comissary or Judge for probate of wills and granting of adm^{ons}, to w^{ch} said accompt of the said sam^{ll} the said Comp^{lt} did exhibit Excepcons before the Said Judge or Comissary, showing for the reasons thereof that the said Adm^r had paid seaverall Debts of the said Deceased that were Debts of a Lower nature then the said Comp^{lts} being Due by bond, and seaverall that hee had charged in his said accompt was onely Due by bill and acco^t, The said Judge the first day of July last past hearing the said accompt and excepcons thereunto was of opinion and soe gave Judgment that the Comp^{lts} said Excepcons ag^t the said acco^t ought not bee allowed because they were against reall Debts for a valluable confederacion and the said Comp^{lts} being onely a bond for p^{formance} of Covenants and that the Comp^{lt} Ought to recover the said Land of the heire, And the Three thousand pounds of tobacco of the purchase money in the Complayn^{lt} hands remain- ing Ought to bee Assetts for the satisfacon of Creditors and for

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