

at Lawe, being the Defend^t Robert, and Did as this Def^t beleives Liber P C
 Declare that the purchase money remaining in the Comp^{lts} hands
 Ought to bee assetts for the payment of Creditors, but whether there
 rests onely three thousand pounds of tobacco Or how much These
 Defend^{ts} know not, And these Defendants Doe humbly submit
 themselves to the Decree and Judgment of this hono^{ble} Court
 Whether the said John Baker shall or may have the said lands
 Decreed to him and his heires for according to the contract and
 agreement aforesaid against this Defendant Robert and his heires
 for ever, And if this Court shall Soe adjudge These Defendants
 hope that the said Compl^t shall bee at the whole Sole charge in ꝑcure-
 ing the said Decree and estate to him and his heires for ever as all pur-
 chasors are usually att, and that these Defend^{ts} not beare the charges
 and costs of this Suite they haveing never done any act Tending
 to the breach of the Said bond, nor the said Hannah nor Vincent p. 169
 in their life times, but this Defend^t Samuell is Credibly informed,
 that after the said Contract and agreement made as aforesaid, the
 said Compl^t had time sufficient before the Death of the said Hannah
 to have ꝑcured a Conveyance of the premisses to have been sealed
 and executed & acknowledged in Kent County Court, but the doeing
 thereof was neglected and delayed by y^e Complayn^t. or his Attorney
 Whome hee intrusted to see the same done and take acknowledgem^t
 as aforesaid, for that they are informed the said Hannah lived seaven
 months after the said contract and agreement, And therefore these
 Defend^{ts} hope the Complayn^t shall beare the expenses of his owne
 laches and defect and the whole charges of this Suite and not these
 Defend^{ts} or the estate of the said Vincent bee chargeable with any
 part of it And this Defend^t Sam^{ll} saith that hee is and always was
 ready and Willing to Doe any lawfull Act or acts shall bee by the
 Judgment of this Court Decreed him to doe and not otherwise for
 the better and more sure making the ꝑ^rmisses to the Compl^t and
 his heires so as hee may herein bee protected and Defended by the
 said Decree against the said heire also when hee shall come of age,
 And soe as the tobacco that shall bona fide and really upon a Just
 and true acco^t remaine unpaid of the purchase considera^on of and
 for the lands and premisses bee paid unto this Defend^t towards
 payment of the said Vincents debts and maintenance of his Children
 if any Overplus remayne, Of w^{ch} said accompt these Defend^{ts}
 humbly Desire the considera^on and allowance of this Court before
 they passe their Decree herein, if this Court shall thinke fitt to
 make any such Decree, And soe as this Defendant samuell may bee
 allowed his just and due charges and expences by him expended in
 the ac^on at Lawe upon the said bond, and before the hono^{ble} the
 Judge for probate of Wills, and granting adm^{cons}, and upon the
 Citacon aforesaid, and for answering the excep^ons aforesaid, and