

Liber N N accompt thereof that then this Obligation to be void or else to stand in full force, Which being read & heard the said James by his Attorney aforesaid Saith his said Lordshipp Ought not to have his action against him for that the said Samuel Boston hath well & truly performed the said Condition & of this he prayes the judgment of the Court & the said Kenelm Attorney Generall of the said Lord Proprietary also. Afterwards to wit the twentieth day of April 1677 It is the judgm^t of the Court here that the said writeing Obligatory is forfeited to his Lopp the Lord Propy, & that the severall Creditors be allowed out of the same their debts & damages at ten pounds tobacco p Cent with costs of Suite, Whereupon it is granted by the Court here that Major Benjamin Rozer recover against the said James Ives the summe of nine thousand two hundred eight nine pounds of tobacco (being publique tobacco which the said Samuel Boston ought heretofore to have paid him) nine hundred twenty eight pounds of tobacco damages & five hundred and Six pounds of tobacco costs of suite

p. 294 And it is also granted by the Court here that the Executors of Cap^t Thomas Howell deceased recover against the said James Ives (an accompt under the hand of the said Samuel Boston being produced & proved by the Oath of Jonathan Sibrey) the summe of nineteen hundred & five pounds of tobacco debt One hundred & ninty pounds of tobacco damages & pounds of tobacco costs

Afterwards to wit the One & twentieth day of April 1677 James Mills Execut^r (of the goods & chattells) of the said Samuel Boston petitioneth the Governour That the Petitioner being informed that Cap^t Sibrey putt into the Court yesterday some debt he pretends due to Cap^t Howells estate from the estate of Cap^t Boston & the Petitioner not being legally Sumōned to answer nor the least notice or intimation given him or his Attorney concerning the same whereby he might have p^rpared for an answer. He humbly craves he may be admitted to his Answer & he doubts not but to prove the Said pretended debt paid by the said Boston & much more. On the backside of the said Petition was then endorsed.

Let the Pet^r deliver this Petition in Open Court this day
April 21^o 1677. Thoma Notley.

Whereupon this cause referred till the next Court.

Upon the Petition of John Irland & James Mills Executor of Samuel Boston that the said Irland & Boston became bound to his Lopp the Lord Proprietary in a certaine su^me of tobacco for John Turpins due administration of the estate of W^m Hewitt late of Cecil County deceased, And that the said Turpin hath not performed the Condition of the Said bond but wasted the goods of the intestate & returned no accompt thereof into the Office for probate of wills &