

Liber N N Court and the Said Robert Carvile moved the Court as to the Sufficiency of the proveing of the said bill which the justices of the Said County Court say is not proved according to Law

It is the Opinion of the Court here that the evidence is good. Afterwards to wit the fourth day of October in the yeare aforesaid Came the Said Robert Carvile and informed the Court here that he hath produced the Opinion of this Court to the justices of the said County Court for reversing the non suite aforesaid and that the said Executors might have judgment for the debt aforesaid with costs of suite, which was refused them Whereupon it is granted by the Court here That the said Henry Carew Robert Carvile & Clement Hill executors as aforesaid recover against the said Philip Burges aswell the summe of Eight hundred pounds of tobacco the debt aforesaid as also the summe of eight hundred fifty foure pounds of tobacco costs of suite and the said Philip in mercy. 854 † to<sup>b</sup> costs.

p. 38r	Jonathan Squire adm <sup>r</sup> John Morecroft ag <sup>t</sup> Lewis Blangy & Mary his wife adm <sup>rx</sup> of Tobias Wells	} Lewis Blangy and Mary his wife administratrix of the goods and Chattells of Tobias Wells deceased was attached to answer unto Jonathan Squire administrat <sup>r</sup> of the goods and chattells of John Morecroft deceased in a plea of trespas upon the case.
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And whereupon the said Jonathan by Kelm Cheseldyn his Attorney complaineth That whereas Mary Pyne late of Kent County deceased stood in her life time indebted unto the said John Morecroft in his life time the summe of One thousand pounds of tobacco by bill under his hand & seale and the said Jonathan as administrator of the said John Morecroft comēced his action against the Said Tobias as executor of the said Mary the said Tobias after the action so as aforesaid commenced did the day of \_\_\_\_\_ in the yeare of Our Lord One thousand Six hundred seventy \_\_\_\_\_ in consideration that the said Jonathan would then withdraw his action as aforesaid comēced and obtaine of the Honorable Philip Calvert then judge of probate of Wills and granting administrations allowance of the Said debt and charges accrued by the said action upon his accompt then to be passed by the said Tobias before the said judge of the estate of the said Mary the said Tobias did assume upon himselfe and to the said Jonathan did faithfully promise that he the said Tobias when thereunto required would well and truly pay to him the said Jonathan what the said judge for probate of Wills and granting administrations should allow the Said Tobias upon the Said accompt of the estate of the said Mary And the Said Jonathan in fact Saith that the Said judge for probate of Wills and granting administrations did allow the said Tobias the summe of thirteen hundred pounds of tobacco to be paid to the said Jonathan as administrator of the said John deceased notwithstanding