

Adm: of the said William Russell Shurtou: hundred shaurly and one pound of
 Cobaco, and also Robert Proctor of the same County by bill and account the sum
 of three thousand one hundred eighty and four pounds of Cobaco in all the
 sum of six thousand three hundred and six pounds of Cobaco, Also the said Joseph
 Moorly having a good and poor intention to pay and satisfy all his Just and due
 debts due by his last will and Testament in writing under his hand and seal
 bearing date the fourth day of April in the year of our Lord one thousand six hundred
 shaurly two, five and six parts to the Defendants (who made full and whole Ex^{rs}
 of his said last will and Testament) all his Estate both real and personal and the same
 to satisfy and pay all his Just and due debts and shortly after dyed, After whose
 death the said Defendants entered into and possessed themselves of all his real
 and personal Estate of the said Joseph Moorly Subject to the payment of
 his debts as aforesaid and took upon them the burden of the said Estate
 and proved the said will, the said Joseph Moorly's real and personal Estate
 being sufficient to pay his Just debts with an overplus and in particular the several
 debts due to the said plaintiffs, But the Com^{rs} applying themselves to the
 Defendants to have satisfaction for their said debts they the said Defendants
 proved they had not assets in their hands of the personal Estate of the said
 deceased over and above the said debt due to the said Defendant Proctor,
 several charges and charges of proving the will to satisfy the Com^{rs} debts,
 And the said real Estate and land aforesaid then devised as aforesaid and by will
 of the said Joseph Moorly made by a bill to the payment of his debts would not be by them
 sold for the raising of Cobaco for payment thereof by reason of some defect in the proving
 of the said Will, because the will did not say he devised all his real Estate to the said
 Defendants and their heirs for ever, and for want of the words (and their heirs for
 ever) the said Defendants were (in strictness of Law) but Tenants for life of and
 to the premises the Reversion expectant upon their deaths being devisable to his
 next heirs at Law of the said Joseph Moorly and in case of no such heirs the same
 were (after their deaths) devisable to the Right Heirs the Lord Propy for want of
 such heirs: Wherein it was apparent by words of the said will that the
 said real and personal Estate should go to the payment of his debts which would
 not otherwise be then by sale of the said Lands, And the said would not be good
 unless they had an Interest in the same in fee simple and that the intention
 of the said deceased Joseph Moorly was to have the same devised to his
 Ex^{rs} aforesaid in fee simple and yett the said Ex^{rs} were ready and willing to
 and satisfy the said debts Provided he might by the devise of this Court
 be enabled to make a good sale of the premises therefore that the said