

Adam that att our srd Court held att our Citty of St Marys the tenth day of
 Aprill 1670 the said Compt recovered Judgment against the estate of the said Vincent
 in the hands of the said James Remaining for the penalty of the said bond being the
 sume of twenty thousand pounds of tobacco, and five hundred fifty and two pounds
 of tobacco costs of s^{nt}, and the said Compt had out a writ of fieri fac^o out
 of the said Court to the said Sheriff 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 James. But the said Sheriff returned that any of the goods and
 Chattells of the said Vincent in his Balwick he could not find whereupon
 to make the Debt and Costs aforesaid. Whereupon the said Compt not being
 likely to reap the fruits of the said Judgment and Execution without he
 could Discover what goods and Chattells of the said Vincent came to the
 hands of the said Adam, and how he had disposed thereof. The said Compt
 therefore applyed himself to the Comptrol^{or} gen^l, and procured the said James
 to be let to rend an Account of his admⁿ of the Estate of the said
 Vincent, w^{ch} he being sworn, in obedience therunto the said James
 the eight and twentieth day of June last past did appear before the said
 Comptrol^{or} at his house att the Citty of St Marys in person and there
 did exhibit an account of his said admⁿ to the said Comptrol^{or} or Judge for
 probate of Wills and granting of admⁿ, to w^{ch} said account of the said James
 the said Compt did exhibit Exceptions before the said Judge or Comptrol^{or}, show-
 ing for the reason thereof that the said Adam had paid severall Debts of
 the said Decedent that were Debts of a lower nature than the said Compts
 being due by bond, and severall that he had charged in his said account were
 only due by bill and acc^t. The said Judge the first day of July last past
 hearing the said account and exceptions thereunto was of opinion and so
 gave Judgment that the Compt said Exceptions agt the said acc^t ought
 not be allowed because they were against severall Debts for a valuable
 consideration and the said Compt being only a bond for performance of Covenant
 and that the Compt ought to recover the said Debt of the hire, And the
 three thousand pounds of tobacco of the purchase money in the Comptrol^{or}
 hands remaining ought to be s^t off for the satisfaction of Creditors
 and for that the said Compt is ready and willing to satisfy and pay the
 said Remaind^r of the said purchase money being three thousand pounds
 of tobacco, and the said Comptrol^{or} being remainderⁿ in the premises. at and
 by the strict rules of the Comon Law, but is only and properly receivable in
 equity in this high and honorable Court where cases in the like nature are only and
 properly receivable, And therefore that the said Robert Atkinson and
 Robert Stelmson and Samuell Towry may true answer make to all
 singular the premises, and that the said land may be recovered to the
 said