

And paid severall other Debts, and was willing to have paid all the Debts
of the said Vincent so far as the said Statute would amount to satisfy, and
thereof rendered a just account to the said Judge Whereupon the said Comptroller
wanting a conveyance of the premises, and it may be imagined to
Reimburse himself what hee had paid the said Vincent in his life time
in part of the said purpose, he take out a Writ of Capias against the
Defendt Jam^s adm^r of the said Vincent upon the said bond of twenty
thousand pounds of Lobacco conditioned as aforesaid, intending to lay the
whole penalty of the said bond upon the personall estate of the said
Vincent and soe have Debarred the said Defendt and all other Creditors
as much as in him lay from having or receiving any manner of satisfaction
for their just and due Debts, and obtained Judgment thereupon by Default
for twenty thousand pounds of Lobacco besides costs of suite, and it may
be true the said Comptroller did give out a Writ of fieri facias
thereupon to the Sheriff of Kent County Directed to levy the said
Debt and costs upon the personall estate of the said Vincent in the
Defendts hands, and that the Sheriff might make such return as in
the Bill And afterwards to wit upon the eight and twentieth day of
June now last past the said Comptroller did Alford the said Defendt before
the said Judge to render an account of his admⁿ Where the said Defendt
appeared accordingly at the house of the said Comptroller at St Marys
and did then and there Exhibit a just and true account of his admⁿ
to wit this Defendts said account the said Comptroller put in
exceptions to the substance and effect in the said Bill in evidence, and the said
Judge hearing the said Exceptions and the said account and the allegations
of the procurators of both sides was of opinion and gave Judgment
that the Comptrollers said exceptions ought not to be allowed because they
were against the Debts for a valuable consideration, and the Comptroller
supported Debt was only a bond for performance of Covenants, or to that
effect as by the said Judge and may more fully appear, and soe left the
Comptroller to his Remedy to recover the possession of the land
from the heire at Law, being the Defendt Robert, and hee as the said
Bill does Declare that the purchase money remaining in the Comptroller
ought to be set off for the payment of the Debts, but whether
there is to only three thousand pounds of Lobacco or how much the said
Defendts know not, And these Defendants doo humbly submit themselves
to the Honor and Judgment of this honorable Court Whether the said John
Baker shall or may have the said lands Devoid to him and his heires forever
according to the contract and agreement aforesaid against the said Defendt
Robert and his heires for ever, And if this Court shall soe adjudge
the said Defendants hope that the said Comptroller shall be at the whole and
sole charge in pursuing the said Decree and Statute to him and his heires
for ever as all purchase money and usuall part, and that these Defendts shall
not bear the charges and costs of this suite they having never done

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