457

25th Tho 25th is also rejected by ye Court as foreign to ye acct

As to ye Article of 70951 lb of Tob with wchye Acct Dr charges ye Compt it appearing to ye Ct yt ye s.d Tob is charged on acct of a Scroll of Goods sent by Howell to ye Compt amounting (as by an advance Invoice) to ye sum of 183:12:06 And it appearing by a Bill from ye s.d Howell to ye Compt yt he ordered ye Compt to convert ye goods to his own use if he thought fit; & the Court in stead of ye Tobacco aforesaid thinks fit yt ye Compt be charg.d with ye s.d sum of 183 12 06 lb 183 12 06 & not ye sum of 354 15 01

Thus ye Court Decrees

* for pay 458

That ye Compt shall be debarred of ye action at Comon Law & recover of ye Estate of ye Dec.d Jn Howell ye sum of 97 13 11½ being ye ballance upon ye accompt as examined & allowed by ye Court with costs. being 5518 lbs Tob

Compt.nts Costs in Chancy are as followeth

Subpena & Injunct.n ag.t ye Def.t	255	Seal of ye same	255 — 510
filing ye Bill 40	Copy of ye Answ.r 302		— 342
Comiss.rs to state ye accts	240	& ye Seal of it 240	— 480
filing ye papers of ye accts stated &c			— 960
22 Continuances of ye Bill from May 1699 till July 1701 each County Court at 40			— 880
Copy of ye accts audited & stated			— 584
To ye Secretary for ye Decree 10 Skins at 16			— 160
Recording ye same			— 160
Seal of ye Decree 480	Seal of ye Execution 162		— 642
Attorneys fee			— 800
		ps Tob	5518

Copia Copy of ye Cost
by John Freeman Cl.k

Execution awarded in due form issued under ye great Seal dated ye 16th of April 1703

(loc Sigilli mag) Signed Tho Jones Lodge

Dobt — — 433 13 04
Credit — 335 19 04½
ballance decreed on ye acct of afores.d — 97 13 11½

458

* Indorsed likewise by this Court on Behalf of Fisher