

thousand Seven Hundred and Eighteen at Somerset County and within the Jurisdiction of this Court was Indebted to the same Alexander Hall in the Sum of four thousand Eight hundred and Sixty one pounds of tobe for the year as he had ^{with} the Court produced way appear and so there of being Indebted the same W^m the Dec^d in his Life time after wards to wit the same day and year at the County of within the said Jur^{is} in Consideration thereof upon him self assumed to the same Alexander then and there faithfully - promised that he when afterwards he should be therunto required he the said Sum of four thousand Eight hundred & Sixty one pounds of tobe to the same Alex^d Hall would well and faithfully Content and pay never the less the said W^m J. Dec^d in his Life time and the said W^m Southy Easter & Hannah his W^{ife} Since the death of the said W^m Dec^d the promise & obligation of the said W^m in his Life time was as made Little regarding & plotting & fraudulently Intending the same Alex^d in this part to Defraud & Deceive, wither the said W^m Dec^d in his Life time nor the said W^m Southy Easter or Hannah his W^{ife} Since the death of the said W^m Dec^d the said Sum of four thousand Eight hundred & Sixty one pounds of tobe or any part thereof to the same Alex^d Hall paid or him for it in any wise for ten last years the said W^m Dec^d in his Life time after wards to wit the day & year as and the said William Whittington Southy Whittington Easter Whittington & Hannah Whittington his W^{ife} Since the death of the said W^m J. Dec^d to wit the tenth day of November Seventeen hundred & twenty five at the County of within the said Jur^{is} was thereto required but they the same rather to pay or the said Alexander or any way for it Content hath altogether refused & the said W^m Southy Easter & Hannah the W^{ife} the same to do & the said Alex^d says he is now & hath Damage to the value of ten thousand pounds of tobe and thereof he brings this Suite &

And the said William, Southy, Easter and Hannah Whittington Executors as aforesaid in their proper persons came and defend the force and Injury when &c. And thereupon the dispute in this action is ~~referred~~ ^{referred} by the Court and Consent of the Parties as referred to John M^r Maulester and John Scott according to the Statute and Judgment to be on their Returns of this Court - afterwards to wit the fifth day of March Anno Domini One thousand Seven hundred and twenty five the said J^{ud} Maulester and J^{ud} Scott the persons mentioned in the rule of reference make return of their award in the premises as followeth vid - We the Subscribers upon Examination of the accounts betwixt M^r Alexander Hall and the said Whittingtons Executors do find the Balance due to M^r Hall to be twelve hundred and twenty six pounds of tobe. J^{ud} M^r Maulester, J^{ud} Scott which being read and heard. It is therefore considered by the Justices here the same day & year last mentioned that the said Alexander Hall recover against the said William, Southy, Easter and Hannah Whittington E^x of the said W^m Whittington as well the Sum of twelve hundred and twenty six pounds of tobe his Damages as by the Arbitrators aforesaid in form aforesaid is also a Sum of Seven hundred & Seventy Seven pounds of tobe also by the Court here adjudged unto him for his Costs and Charges by him about his Suite in this Behalf Said Out and Expended to be Seized of the goods and Chattels which were of the said W^m Whittington dec^d at the time of his death in & out of the said W^m Southy, Easter, and Hannah Executors as aforesaid to be administered if so much thereof in their hands they have &c. and if so much of it in their hands they have not to be Seized of the goods and Chattels of the said W^m Southy, Easter, and Hannah Whittington and of the said Messrs M^r Maulester &c.

177