leaving her said two children her surviving and entitled to their mother's share of the said Estate.

17. The said Isaac Gravesande died intestate and unmarried in the year 1915 leaving his sister the said Rebecca Cornelia Adriana Gravesande his sole heiress *ab intestato* and entitled to his share of his mother's Estate.

18. The said Rebecca Cornelia Adriana Gravesande hereinbefore named Rebecca Backer, one of the Plaintiffs herein was married to Adam Cooper William Backer in community of property in the year 1876 and had one child named Lydia Millicent, issue of the said marriage.

19. The said Adam Cooper William Backer died intestate in the year 1896 leaving his wife and his child him surviving. He was only once married. 10

20. The said Lydia Millicent Backer was married to W. I. Sutton in the year 1904.

21. The said Rebecca Cornelia Adriana Backer, one of the Plaintiffs herein died since the institution of this action on or about the 12th June 1916, leaving a Last Will and Testament which has been duly proved and deposited in the Registrar's Office of British Guiana on the 22nd of July 1916, wherein and whereby she instituted and appointed her daughter the said Lydia Millicent Sutton, born Backer, her sole and universal heiress and Executrix to the said Will. 20

22. At the death of her mother the said Lydia Millicent Sutton, born Backer was and became wholly entitled to one-sixteenth of the estate of the said Henrietta Hubbard.

23. The said Gabriel Gravesande, senior, the brother of the said Henrietta Hubbard was married to Agnes Gravesande born Chichester and died in the year 1876 before his sister the said Henrietta Hubbard, intestate, leaving him surviving four children only, named Gabriel the younger, Elvira, Beatrice and Orella, who inherited their father's one-sixteenth share of the estate of the said Henrietta Hubbard.

24. The said Gabriel Gravesande the younger, is one of the Plaintiffs 30 herein.

25. The said Elvira Gravesande was married to one George de Ryck who is one of the Plaintiffs herein.

26. The said Beatrice Gravesande was married to one Edward McLoggin who is one of the Plaintiffs herein and the said Orella Gravesande is also one of the Plaintiffs.

27. The said Thomas Hubbard the husband of the said Henrietta Hubbard died in the Island of Barbados on the 29th day of September 1915, leaving a Last Will and Testament which was duly proved and deposited in the Registrar's Office of British Guiana on the 11th of October 40 1915, whereby he appointed the Defendants and one Colin Fernandes de Ros, who is now dead, joint and several executors thereto. The Defendants have accepted the said appointment and are acting as such Executors.

28. At the date of the death of Henrietta Hubbard, in the year 1879, she and the said Thomas Hubbard were possessed of property of considerable value, all of which the said Thomas Hubbard took possession of and kept for his own use and benefit and never accounted to the heirs of the said Henrietta Hubbard for the said property nor paid or delivered to such heirs any portion of their one half of the share of their Testatrix in the common property of the marriage before his death, nor have his Executors accounted or delivered any such property since his death to the Plaintiffs, although demand therefor has been made.

10 29. The Plaintiffs are entitled to one half of the Estate of the said Henrietta Hubbard, deceased, with all of the rents, profits and increase accruing thereto from the 14th February, 1879, being the date of the death of the said Henrietta Hubbard, until such payment and delivery.

The Plaintiffs claim—

(*a*) An inventory and account of the property estate and effects of the estate of Henrietta Hubbard, deceased.

(*b*) An account of the dealings and intromissions of Thomas Hubbard (the Defendants' Testator) and of the Defendants since the date of the death of their Testator with the said Estate from the date of the death of 20 the said Henrietta Hubbard to the date of the rendering of the said account, and payment and delivery to them of whatever money and property which might be found to be due, payable and deliverable to them on the adjustment of the said account.

(*c*) Costs.

Demerary,
22nd January 1917.

JOSEPH A. LUCKHOO,
Barrister-at-Law.

FRANCIS DIAS,
30 Solicitor.

STATEMENT OF DEFENCE.

1. The Defendants deny each and every allegation averment and statement contained in paragraphs 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29 of the Statement of Claim in the same way as if each and every of the said allegations, averments and statements in each and all of the said paragraphs were herein set out at length and traversed *seriatim*.

2. As regards paragraph 6 of the Statement of Claim the Defendants admit the agreement referred to therein but deny that the remaining half 40 of Thomas Hubbard's (the Defendant's Testator's wife) half of the common property at the time of the death of the Testator's said wife Henrietta Hubbard or at any time or any part thereof went to the said Henrietta Hubbard's brothers and sisters and their children or any of them.