Commission de benesse cannot be used as there is no proof that she is not still living.

The answer of Thomas Ridgate contains a great deal of matter not relevant to the suit and it is not clear as to the main point in dispute – he admits the signing of a paper with D Senifer before the sale of the negroes in question which paper he alledges was given up and destroyed – and as to the paper stated in the Bill he says that he does not recollect that he ever signed such paper. but that if he did it must have been on the supposition in his answer mentioned. And altho the paper is alledged in the Bill to have been taken by him from Mrs Doncastle he prays that the original paper may be produced.

The answer not being clear positive and full to the fact enables the Court to decree on the testimony of one witness – more especially considering the circumstances in the case one of which is the property not having been put in the Inventory with the other property of the said Thomas Ridgate.

The property now in dispute is to be ascertained from the testimony returned under the commission to Thomas Rogerson and others and to Ford and others.

It is thereupon this 3d day of may 1810 by William Kilty Chancellor and by the authority of this Court Adjudged ordered and decreed that the Defendant administratrix of Thomas H Ridgate do by a good and sufficient deed duly to be executed and acknowledged make over and convey ~~that~~ to the Complainant the legal title of in

and

and to the following negroes to wit Sam the son of Linda who is mentioned in the Bill – Nell the daughter of the said Linda. Spencer a son of the said Nell – Linda a daughter of the said Nell. Matilda a daughter of the said Nell John a son of the said Nell – also a child of the said Nell mentioned in the deposition of Mrs Mary Brackles as an Infant about Eight days old and any other issue of the said Nell which are now born or may be born before the execution of this decree – and that the said defendant do deliver to the Complainant possession of the said negroes – The parties respectively to pay their own costs.

W Kilty Chan.

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And the aforesaid Defendant Elizabeth Ridgate administratrix of Thomas Ridgate by her attorney Thomas H Bowie Esquire. prays an appeal from the Decree aforesaid rendered. to the High Court of appeals, which is granted accordingly. and the proceedings ordered to be transmitted.

Maryland fet

In Testimony that the aforegoing is a true Copy from the Records of the State of Maryland's High Court of Chancery. I have hereto affixed the Great Seal of said State this Twenty ninth day of September One Thousand Eight hundred and Ten.

Nich Brewer Regburban