Saturd 7ber

Ordered that the Cause Between Richard Bishop Compl: & Nich: Clouds & Thomas Seward Defts be peremptorily heard on Munday morning next at 7 a clock in the Morning and that the Procurat: on both sides take notice of this Ordr —

Eod: die

Ordered that the Sheriff of Cecill County with Mr: Wrath one of the Committy of ye County Exa the papers of Maj: Edward English Decd & to take out what papers relates to the concerns Between the Ds Decd & Harmer & bring or send them down to the Provinciall Court in No: next & that Capt: Keene continue the Same Person put in by him to look after the Plant: & Stock &c: untill further Order. —

was Ordered to be Recorded the following Deposition of Michal Miller viz:

Michael Miller Aged 44 yeares of Age or thereabouts Deposeth that this deponent did see a Procuration in Mr: Ebenezer Blackiston: Custody from one Huggon or some such name as the Ex: of Timothy Harmer to prosecute Maj: Edward English for the Debt of the said Harmer & to the best of this Deponts: knowledge or remembrance it was by the Consent or Assignment of the said Harmer And further saith not

M Miller

Sept: 24: 1687

Michaell Miller made Oath to the above before the Judges &c:

James Cullen Clk Cur: Cnty

Eod: Die

was presented the following Petition viz: of Wm York of Ball C:

To the Hon: Col: Henry Darnall and Clement Hill Esqrs and Comissrs of this Province of Maryland for Probate of Wills & granting of Lrs of Adm^n and also granting forth Citation for the Adm^n in behalf of the Heirs wch may ensue —

Humbly Shewthat that whereas yor humble Pett Willm York & James Collier did in May 1686 make up Acco: with yor Hons and since it hath pleased God to take Mr: James Collyer out of this Life march last past and yor Pett being noe scholler but deputed by Capt: John Waterton the first in the Will of Mr: John Waterton & Mr: James Collier his Brother being left his Exr by his Will did soon time in June last past did come into this Province from Pensilvania and yor Pett being sick & not able nor acquainted with his being in this Province before he was gone and hath carried with him without Consent or knowledge of yor Pett Wm York for which yor humble Pett craveth that yor Hons will be pleased as to grant me time on his return for the Acco: of which was made up on Oath before yor Hons: in 1686 & since the Departure of Mr: James Collier and since his brother Edward Collier liveing in Philadelphia, being his Heir by Will did carry away all the writings which were in his Custody when he dies he being the person most capable and a scholler did undertake during his life to take care of all bonds Bills and Acco: belonging to the Estate of Capt: Waterton which yor humble pett humbly craveth the benefit when the said Edward Collyer the comes and delivers yor Pett the writings then and this will then be read [illegible]

Record in 1686 and all the charge of the Citation which the Sheriff charges 120 ℔ Tobacco which the Sheriff charges yor Pett which I hope yor Hons will remitt because our Acco: hath been already made up for which yor Pett will ever bound to pray for yor Hons —

Time was granted the Pett till May Court next to Compleat his Acco: of Capt: Waterton Estate —

Eod: die

Ordered that Comissn: Issue directed to Thomas Smithson of Talbot County to take the Oath of Sarah Hall to Acco: of James Hall's Estate & add to it what good Rec^ts shall appear, the which accordingly Issued

Eod: die

Gabriell Garratt Exr of John Smith of Ann Arrundell County being Cited to give in his Acco: of ye Smiths Estate produces to the Judges a Bond of said Smiths payable to him for 6417 lbs: which overpayes the Estate of ye Decd therefore prayes no more Citation agst him in this matter may Issue the which was granted him —

Di: Mercur 28: ditto

Cam: Rich: Bishop of Talbot County by Anthony Underwood his Procur: & humbly prayed a hearing of his Libell or Complaint against Nicholas Clouds & Thomas Seward Exrs of the last will & Testam: of Wm Bishop late of the same County Decd and the said Libell before the Honble the Judges was read & by them heard and also the Evidence produced by the ye Libellant and the defence of the ye Def^ts and upon Mature Consideration of the which It was by the Court Ordered that a Comissn: Issue directed to Maj: Peter Sayer of ye County of Talbot to make enquiry of the severall persons to whom the Defend: Clouds in his Acco: Exh: in this Court allwadges he has made payment: to and further that the said Maj: Sayer goe forthwith to the said House of the said Defft: Clouds & Exa what Locks Glass, Hinges, & Nailes & other Materiall were remaining that was by the said Wm Bishop Decd in his life time prepared for the building of a Brick House & to take a particular acco: thereof & forthwith to transmit the same to this Court untill the return whereof the Honble the Judges were pleased to suspend & deferr their finall & determinate determination of the Cause aforesaid, the which Comissn: to Maj: Sayer Issued in these words viz:

Loc: Sig

Charles absolute Lord & Propry of the Province of Maryland & Avalon Lord Baron of Baltimore &c: to Maj: Peter Sayer of Talbot County greeting Whereas there is a Certain difference depending before our Judges for Probate of Wills &c: between Richard Bishop Bro: & Heir of Wm Bishop late of same County Decd and Nich: Clouds & Thomas Seward Exrs in the Will named of the said Wm Bishop And whereas our said Judges are desirous to be further informed of some Matters before they give their determinate Sentence in the Case these are therefore to Authorize and Impower you to demand of the said Clouds (who is hereby required to give Obedience to this Comissn:) to produce before you the Glass, Locks, Hinges, Nailes, & other Materials that was prepared by the said Wm Bishop in his life time in order to the building a Brick House and that you take notice what quantity of each of the said Materials shall be the said Clouds to produce before you and further that you make enquiry of the severall persons the said Clouds in his & the said Towards Accompt Exh: before our said Judges

Henry Darnall
Clement Hill