estate of the said deed under pretence that the same doth properly belong unto and is part of the Estate of her former husband Daniel Tucker decd: wherefore he prays that she may be cited to answer the same and it is granted that citation accordingly issue for her to appeare here the next Court.

Dec: 2 Came John Vowles of St Charles County who married the Sister and heiress of Cuthbert Scott late of St Maries County decd: and shewed to the Judge here that whereas John Baptista Carberry who had married the widow and Relict of the ye Cuthbert since also decd: has procured Letters of Administration of the Estate of the ye Cuthbert unadministered by the said widow, the said Letters of Administration were by the ye Carberry illegally obtained, and therefore prayed that the same might be revoked and de novo granted to him the ye Vowles in right of his wife the sister and heiress of the ye Cuthbert as aforesaid.
Ordered that Citation issue for the ye Carberry to appeare here at the next Court to shew cause (if any he have) why the Letters of Administration to him granted as above should not be revoked annulled and made void, and de novo granted to the ye John Vowles as aforesaid, And that in the meane time the ye Carberry doe forbear any further to intermeddle with the ye Estate —
(wch order accordingly forthwith issued)

Eod: die Elizabeth Mattox Relict & Admx of John Mitchell, and of Henry Mattox decd: came and presented her Self to the Court here with an acct of her Administration; which appearing to the Judge to be very intricate and intermixed both ye Estates together, ordered that the acct now brought of the ye Mitchell Estate be compared with that of the ye Mitchell and rightly distinguished in order to pass ye approbation of the Judge.

Eod: Die Came Philip Lynes of St Maries County Admr of William Hawton decd: being cited to read an Acct of his Administration, he alledges that he had already returned an Acct thereof unto the Office, a copy whereof he came and will produce when thereunto required —
Ordered to produce a copy the next Court.

Dec: 3: Returns made by the Clerk of Charles County a brevitate of all Letters Testamentary, Letters of Administration Inventories and accounts, warrants to appraisers, Commissions to proove wills, Bonds taken, and all other matters whatsoever relating to Testamentary proceedings passed in Charles County Court since the beginning of the last Revolution &c.
ordered to be filed in the Office of this Court.

Eod: Die Returned into this Office by the Clerk of St Maries County an Abstract of all and severall the Testamentary proceedings taken in St Maries County Court in the years 1689: 90: & 91: —
Ordered that ye Same be filed among the Records of this Court —

Eod: die The like Returns made by the Clerk of Kent County to be ordered to be filed as before —

Eod: die Ordered and decreed by the Judge that upon the Exhibiting and making up the Acts of the Estates of Mr Jones decd: there be allowed to ye Execr or Admr 1 ℔ for tobacco as a standing Rate in all cases of that nature.

Eod: Die Came Edward Morgan of St Maries County Execr of the last will and Testament of John Dowy late of the same County decd: and appeared to his citation requiring him to Exhibit an Inventory and render an Acct of the Estate of the said decd.
Accordingly he produces an Inventory of the ye Estate under the hands and Seales of John Lambell and William Hisbands Appraisers appointed bearing date the 21th day of June 1688 wch he alledges he could not compleate before the Revolution to returne into the Office and the Commissary Court being then and till this time shutt up, he prays it may be now admitted and filed upon Record — which was granted, and ordered to be entered in the Records of this Court. —
He also Exhibited an Acct of severall payments and disbursements by him made out of the ye Estate with a list likewise of some tobacco debts due to ye ye Estate and by him recd more than what is mentioned in the Inventory he hath charged himself with in the Inventory —
Ordered that he produce at ye next Court a particular and Exact Acct of all the debts due to ye said Estate and what else thereof hath not been brought to Appraisement or mentioned in the Inventory, and then to make up and adjust his Acct thereof. —

Eod: Die Came Robert Burman by Philip Clark his Attorney & Prosecutor and Exhibited his Libell or bill of Complaint against John Hinson one of the Executors of the last Will and Testament of Joseph Wicks late of Kent County decd: in the ye Will named, and the said John Hinson also appeared by George Plater his Attorney at this Court to answer this day and put in his answer to the Same which were both read and heard by the Judge.

To the Hon.ble Coll Nehemiah Blakiston Judge for probate of Wills and granting Administrations &c.

In all humble manner complaineth unto your Hon.r Robert Burman of Kent County one of the Execr of the last will and Testament of Joseph Wicks late of the said County decd: that whereas the said Joseph upon the 26th day of March 1688: made his last will and Testament constituting and appointing for his Execrs Mr Josias Lankam, Mr John Hynson, and your Complainant the said Robert Burman, and some time afterwards dyed, Empowering any two of the said Execrs to perform the trust by him reposed in them; the said Josias Lankam one of the said Execrs dyeing soone after, your Complainant proved the Will before the Officer appointed in the ye County, for taking such proofe, whereby he was accepted of the Execr Ship, yet Notwithstanding the said Hinson another of the said Execrs has of late, most falsely and deceitfully suggested unto ye Hon.r that ye Complainant had renounced the Execution of the said Will, whereby he has surreptitiously obtained from ye Hon.r Letters Testamentary to himself solely, whereby he has not only for the pr Sent defeated your Complainant of his right to the Execr Ship, but likewise frustrated the intent of the decd: whose desire was that any two of the said Execrs should perform the trust as by the said Will may appear: Wherefore yr Complant most humbly prays your Hon.r to grant a citation out of this Court, commanding the said Hynson to appear by a day certain to answer his ye unwarrantable proceedings, and shew cause (if any he hath) why your complainant should not be joined with him in the Execution of the said Will according to the intent of the Testator.

(Philip Clark for Compt)

And the ye John Hinson saveing to himself all and all manner of benefitt of Exception to the manifold Errors and insufficiences of the said Libell contained, for answer thereto, or soe much thereof as the said John Hinson is advised is material for him to give answer unto, he saith that true it is that the said Joseph did make a will as in the said Libell is expressed, which said will was by the said Hynson proved before their Majties Justices of Kent County Court, but the Execution thereof deferred by reason of the said Burmans renunciation thereof made before Mr Elias King appointed Deputy Commissary of Kent County aforesd: Whereupon this Defend: applyed himself to this hon.ble Court for Letters Testamentary with the will annexed: And the ye Elias King Commissary as aforesd being then present, and giving full satisfaction to this Court of the renunciation of the ye Burman, Letters Testamentary with the will annexed were granted to this Defd who had the usuall oathes administred to him, and by this defend accordingly taken And the ye Defend having the oath of Execr Administred to him as aforesd prays judgment of this hon.ble Court, if the ye Letters Testamentary shall now be revoked and the ye Burman admitted as Execr. But this Defend humbly conceives the ye Burman a person not capable of medling with the ye Estate without apparent danger to the Interest of the Orphans and parties concerned, being of noe relation to them, only marrying the Relict daughter by a former husband, and being considerably indebted to the said Estate, and endeavouring to promote the Interest of the widow, and for his owne sinister ends: And this Defd hath been arrested by the widow for her thirds which she claimes and her legacy in the will mentioned (contrary to Law) And this Defend saith, he is Uncle to the ye Orphans, and does not think it safe to joine in the ye Will with the Pltff: unless he who is but a bare Execr doe give distinct Security to Secure what of ye Estate of the ye Orphans shall come to his hands, which this Defd is also willing to doe for what he shall receive. Which this Defend is advised, is in the breast of this hon.ble Court to decree.

(G. Plater for Defd)

The premisses considered and the whole matter therein being fully debated and heard, with ye severall allegations on both sides, the Judge proceeded to decree and ordered a copy thereof to be delivered to each party as follows viz

At a Commissary Court held at the City of St Maries the third day of December Anno Dmi 1692: in the fourth year of the Reign of our Soveraign Lord and Lady King William & Queen Mary &c. before the hon.ble Nehemiah Blakiston Esq Commissary Generall and Chief Judge for probate of Wills &c. within this Province —

Upon due hearing and mature consideration had of a certain matter of controversie brought here and depending between John Hinson and Robert Burman of Kent County gent two of the Execrs named in the last will and Testament of Joseph Wicks late of the same County gent decd, set forth in a certain Libell exhibited by the ye Robert Burman ag.t the ye John Hynson, and the answer of the ye Hynson thereunto