March 4th 1694

The Hon^ble Comm^ry Kenelm Cheseldyn Esq^r met
at a return of a Comm^ly Court by him held at Ann
Arrundell Towne in Ann Arrundell County
4th Day of March 169 4/5

That hee had Sworn Henry Wriothesly Esq^r
for that Court

Then Came Mrs Mary Duvall the Widow
of Marren Duvall late of Ann Arrundell Co
Deceased and Shewed That Lett Nuncupatary
granted unto John Duvall by Mr Henry Bon
Dep^ty Commissary to the great Damage an
prejudice of Her the s^d Mary Duvall And s
been named Executrix in the Last Will & T
of the s^d Marren Duvall deceased praye
that the s^d John Duvall be cited to rend
appeare & shew Cause why the s^d Lett Pa
to him Granted should not be revoaked a
Granted to the s^d Mary.

Which Immediatly issued out in the Forw

William & Mary by the grace of God King &
of England &c To the Sheriffe of Ann Arrandell
Greeting Whereas Complaint hath been Made to
by Mary Duvall Relict & Widow of Marren Du
late of the s^d County Deceased that the s^d Marren
made his Last Will & Testam^t in writting & d
Thereby appointe the s^d Mary to be his Executrix
the same, but that one John Duvall Absent fro
to the s^d Marren hath by false Suggestion made
our Judge for Probate of Will &c, that the s^d
refused to proove the same & that in case of the
Defaull hee the s^d John had Right to the Proba
of the same and thereupon Scarcely Obtayne
obtained the Probate of the said Will, Whereas th
said Mary never had Legally renounced before t
prop^d Judge to take the s^d Renunciation & that alt
after shee had proved the said Will, before the Dep
Comm^ly Contrary to Law And Whereas We are alr
informed that the s^d John does Daily imbezill th
Estate of the s^d Marren to the great Hazard & impov
ment of the s^d Widow & Orphans, These

These are therefore to Will & require you to Cite & Summon the s^d John Duvall that hee bee & appeare before our Cheife Judge or Comm^ly Gen^ll at Ann Arrundell Towne the 4th Day of March Instant to anser the premisses & that hee doth Sureise to Intermidle with the s^d Estate otherwise than to preserve the same according to the true Intent of the s^d Will till his right of the Probate of the said Will shall bee heard and Determined according to Law Before our s^d Judge, And Especially to Strike & pack the Tobacco that belongs to the Plantations of the s^d Marren and preserve the same untill the Determination or other order to the Contrary as afore Given Under the Seale of Ord^s office for Probate of Wills &c this Second Day of March in the 7th years of our Reigne &c Annoq^e Domini 1694: Witness Kenelm Cheseldyn Esq^r our Cheife Judge & Comm^ly Gen^ll &c

Kenelm Cheseldyn (seale)
Comm^ry Gen^ll

At which Day (viz) this 4th Day of March 1694 appeared the above said John Duvall and the said Mary Duvall and produced the Foll^g Depositions

The 3^d Day of March 1694.

Henry Hanslap of Annarrundell County aged about 59 years maketh Oath before us the s^d name^d and Under written two of their Majes^ties Justices of the peace of the s^d County that some time in the month of August last past hee was at the House of Marren Duvall late deceased When there Came m^r Henry Bonner Dep^ty Comm^ly of the s^d County w^th the Witnesses to Will of the s^d dec^d unto whom Mary the Relict of the s^d dec^d Marren Duvall brought forth her late husband Will made in writting and delivered unto him the same to be proved By the Witnesses thereunto then present w^ch was done Whereupon the s^d Mary Desired to the s^d Dep^ty Comm^ly her Desire & Renunciation of the Execution of the s^d Will or being Executrix thereunto as by the s^d Will shee was first nominated & appointed and some time after in the same Day the s^d Dep^ty Comm^ly did Demand of the s^d Mary to Give her s^d Renunciation in writting under her hand & Seale w^ch accordingly was then Done & further Saith not

Sworne before us } Nicholas Gassaway Henry Hanslap
Sam^ll Young,