the said Ballance due to ye said Worganns Estate ye sum of
9500 lb. Tobacco 95 lb off in Bills and Accompts as he
Alledged was not paid since wth Time the said Mr. Brooks
is Dead & made Judith his wife Executrix to whom he left
a plentifull Estate and she also Since Dead and left
the said Hugh Sherwood her Executor, with also a plentifull
Estate Notwithstanding ye said Hugh Sherwood refuses to
Returne or Render any Accompt of the aforesaid Ballance
in Tobaccos or of the said Bill and Accompts but pleads
they was desperate debts and not to be Recovered and therefore
the said Libellants pray a Decree of this Court for their
Relefe in the premisses To wch ye Defend Answered That
he was noe way privy to ye Estate of Worganns nor ye Adm-
Brooks Stands that ye Estate that ye said Brooks left
unto Judith his wife of wch he is Executor, by great Judgment
is not able to pay any such great sum of Tobaccos
as is pleaded unto That he hath Never Received any such Bill
and Accompts as is pleaded by the Libellants That it not
likely that ye said Mr. Brooke that had a Good Estate of
an honest Repute should be indebted twenty Years to ye
Estate of Worgan & never before now Called to Accompt for
it and Desires to be dismissed with his reasonable Costs
all wch Premisses Considered and the parties & their procurators
on both sides fully heard by ye matter fully pleaded
The parties desired the said Judge that they may have
time to See if they could Agree ye matter between themselves
wch was Allowed to them who returned and Desired that the
Agreement hereafter mentioned might pass as a Sentence and
Decree of this Court, To Wit that by reason ye Accompts was
of long standing & that many of the papers of Bills and
Accompts by death of ye Adm^r^ of the said Worganns and also
of the said Brookes his Executor, and ye Executrix of ye
said Brookes is also dead are lost and noe Accompt can
be Given of them desired the Judge here to Sentence and
Decree that ye Defend^t^ Hugh Sherwood pay to ye said Arthur
Wheatly the sum of Twelve Thousand pound of Tobacco

That

That is to Say 6000 lbs present Years & 6000 lbs Crop of Octob^r^ ye
Thalor in the Years 1699 and returne to him all such bills bond
books & Debts upon Oath that are in his Custody and to pay ye Libellants
his Reasonable Cost to be Adjudged by the said Judge who doth hereby
by consent of both parties Sentence and Decree ye same as aforesaid

14
10:

At a Commissary Court held at ye Port of Annapolis
before ye Honble Henry Sheredyne Esq Commissary Gen^ll^ & Chief
Judge for Probatt of Wills the 30 day of Aug in the Sixth
Year of his Maj^ties^ Reigne Annoq Dnj 1698

Samuell Smith
Jno Gadsby } Memorand That upon the Twenty Fifth day
of Aprill 1698 Came Jno Smith of Arrundell County by Roo Youldsbury
his procurator and Exhibited to ye Court here his Certaine Bill
against Jno Gadsby of Baltimore County thereby setting forth that
whereas one George Norman intermarried with one Eliz. Smith his Sister
by whom he had two Children said by his last will did appoint her
Executrix of ye same who in some short time also after died and that
he being her Only brother and Heir to ye Children had only right to
Administer ye said Estate Yett one Jno Gadsby who had noe right to ye same
Attained Administracon thereof To which the Defendant by Charles Carroll
his procurator Answered That ye said Jno Gadsby intermarried wth the
mother of the said Norman and that in right of wife who was Grandmother
to ye said Children & as next of Kinn out not to have the Administracon
revoked & the parties and their procureators being heard of both sides
and ye matter fully pleaded The said Judge did Sentence and Decree ye said
Administracon to ye said Gadsby a Good and Legall Administracon in Wright
of his said wife as next of Kinn and Accordingly did Confirme the same
And that ye said Defend^t^ be dismissed this Court with his reasonable Costs
to be Taxed and Allowed by the said Judge

ye 30th Day of Aug, 1698

Then was Exhibited into this Office by Doctor Alexand Chappell one of
the Executors Named in ye last will & Testament of Thomas Danois Late of
Ann Arrundell County the renunciation of Francis West another of ye
Executors of the said will wch Followeth in these words Viz^t^
I the Subscriber doe by these presents declare and relinquish All my

Right