to her husband and to appoint a Ruler who Can Raise not such power by Vertue of that Office unless it Had been given by the Will but that Cutts her husband in Devise Bring in that it Lodged in her not Longer than her life and also by accepting of ye Estate Given her by Will all of her thirds and further Says that ye said Lowman Ham not Performed or refused to Give an Acco. of what is Smiths Estate for if not Smiths they deny it but if they do they Ought were Bound to give a just and Legall Acco. of them to ye Judge for Probate of Will without Wch they cannot performe the Same & Consequently the Horse fell come to her right

To which Pleas Considered to Wch the Libell Answer Replication and the severall pleas and debate thereupon & all other things Pertinent to ye matter well Weighed & appears to ye said Judge Hard that the said Eliz. Being but Executor for life could not convey that power to any other for w. determined with her life and that the said Elbornd Lomax having not power from the in England in Whom the Well right is Edged by the testator Smith nor any right in himself nor from ye Cous. Gen. Whom the Law in such cases impowers to Grant Administracons for the Securing the Estate to those who have ye Wall right in Law to ye Same that his possessing himself thereof Was Illegall and unjust & he Personal for wanting a Legall discharge for the same is Same and Pds. Inas the present Adm. are fully impowered by Law upon his Just delivery of ye Estate to ye Same the said Judge doth Sentence and decree that

That ye Ler of Admon between Dent and Hopkins be Cancelled and that ye Libellee as Executor of Eliz. Smith after he made up ye said Ler with ye Commissary of the Estate of Archibald Washop w. he now shall appear to be his right as Executrix of the said Archibald Go and remain and to him as her right Dewise from ye Estate of Smith and if Smiths Estate have given the Estate any Debts that it be Allowed out of ye said Washops Estate at ye Passing of the Acco. and ye said Elbornd Smith ye said Acco. not prosecuted by the said Eliz. and that no Barrells of Corn off Was at ye death of ye said Eliz. upon the Plant be Allowed for the Mantenance of ye Family and Stock that year ensuing and Whereas ye said Eliz. Hath by ye Will of ye said Smith as the Same fully appears ye use of ye Plantation for life as well Plantacon and Negroes and profits thereof Excepting only ye Stock of Wch She was not to Sell or Kill more than for her Family Mantenance Ordered ye w. goods the said Eliz. hath purchased by Plantacon and Negroes be and remain unto her Ex. the Libellee to whom shall made appeare She hath waisted by Killing or Selling the said Ruinous Stock or the increase thereof be made good by her Executor out of Such goods and Chattells as she hath Exchanged out of the said Estate to her self or any other way Because Hers and of ye Libellee pay reasonable costs to ye Libellants to be judged by the said Judge.

We do therefore hereby Strictly and Firmely command and injoyn you the said Elbornd Lomax ye Respondt Elbornd Smith and Hodall and every the said Matters & things in the Subpoena and decree mentioned & Contained to forthwith as ye same doth or may Concerne you & that you pay or cause to be paid to ye said Libellants the monies due with their costs aforesaid according to ye true intent and meaning of the said Sentence and decree and this you may in no wise omitt under the penalty answering Will most Humbly and Willbeloved Kinsman Christopher Dos. our Com. Gen. and Judge for Probate of Wills and granting Administracons Dated this 27 day of July in the Eleventh year of his Maj. reigne Anno Dni 1699

Mr. Eliz. Hall Hall one of the Executors of the Last Will and Testament of James Crumford Esq. of Calvert County Gent deceased produced the said Will and Thereupon prayed in the Lordship in his and the name of Ralph Hall and the other Executor now out of this Province Wch Was accordingly granted Who entered into Bond with Walter Smith and Benjamin Hall his Securityes in ye summe of fore

forfeiture