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to which by the law of this province she hath a right, & the said Thomas
sticks in the Inventory exhibited by him of the particulars which of the said
Estate consisted, or which are come to his hands or to the hands of any
other person or persons in trust for him by his consent delivery &
knowledge or privity omitted & all things of which the said Estate
consisted and the values of such things as are in the said Inventory
mencioned are rated under their reall worth and true values of them
and has wasted consumed or converted to his or their own uses or
to the use of some other pson or psons of his or their privity, and &
knowledge a great part of the said Estate so that the said Libellant
by such their fraudulent & clandestine confederacys and combinacons
is likely to be greatly damnified and prjudiced for that the said
Thomas sticks refuses to account with the Libellant for the said
Estate, and to satisfie and pay unto her the third part as in
justice he ought: All which transactions are against Equity and
good Conscience, and tend to the utter ruine and distruction of y^e Libellant

Whereupon came the said Defend^t Thomas Hicks Survivor and
Supervisor of the Last Will and Testam^t of Charles Hutchins late of
Dorchester County dec^d by his said procuracy^d and for answer thereunto
sayth that the said Defend^t doth acknowledge that the said Late Hutchins
died as in the Libell is sett forth being possest of a very plentifull
Estate and made his last Will and Testam^t as in the Libell is exprest,
taking not notice of the Libellant, and made his Dearly beloved wife
Mrs Ann Hutchins and Grandson John Ryder Executo^rs of his Last Will
and Testam^t And the said Defend^t and Late Thomas Smalls Senior and
Supervisor thereof, shortly after whose decease the said John Ryder by
vertue of Late Hutchins Will became Sole Executo^r: And as the Defend^t
was advised, in him the said John Ryder is now the lawfull right to
the whole Estate of the said Late Hutchins, besides what he brought into
to bequeath as Legacys &c: And the said Defend^t pleaded to the Juris-
diccion of this Court & the matter in him exposed as aforesaid &
that Late Hutchins did procure Letters of Administracon of and upon the said
Estate to be granted him in right of the said John Ryder then an Infant
a Minor, which he hath brought to a due Appraisment, and returned
the same thereof under the Apprisers hands and seales, and hath not any
wise

any wise converted the said Estate by Combinacon or fraud with any
other person or procured the same to be undervalued, and as
to what moneys the said Late Hutchins had in bank in England.
this Defend^t has not been able as yett, though he has endeavoured
to gett an Account thereof, but soe soon as he shall procure such
Account he will Account therefore with the Hon^ble the Chancellor &
And the Orphans Court when he comes of age, conteining
and being advised that the Libellant hath not right or claime to
any part of the said Estate, for that if in case she had been
really lawfully married to the Defend^t, as for ought that he
knowes she might (tho' on her part to be proved) Yett for that
the Libellant did cloyne her affections & wholly forgett
her duety to the said Late Hutchins her husband, as this Defend^t has
been credibly informed, and doubts not, but to make appear by
having a child to another man One Hogg and inter marrying
with One Legory (owning the life of the said Late Hutchins) by
which name she was called for many years living with him as
his wife, by which Elopement & misbehaviour the Defend^t is informed
she hath not any right to claime any part of Late Hutchins Estate
according to the maxim and principle of the law, that woman that
forsakes her husband and in adultery leads her life, the law endowth
not such wife — Which Answer being read, the said Complainant
affirming the Libell to be good and true And therefore prayed relief
as before she prayed —

All which the aforegoing Libell and the Defend^ts Answer thereto
being read and heard and by the Judges well considered of, and all Letters
Depositions & all other Evidences & Exhibitts produced & examined and argued
before the Judges By which it appeared to the Judges that that
marriage is fully proved & read a Exhibit that that the Complainant
after her husband absconded & layed her affections from him and fell in
other Embraces and had a Bastard Child by the said Hogg as in Deposed.
and neglected her Child she had by the said Hutchins, and that there are very
strong and pregnant circumstances of her being married to the said Legory
and had Children by him, and nothing wanting of full proof but that
she publickly joyning hands, and if she were not married she lived in adultry
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