At which said Nov.l Court to wit the 10th Day of April — Anno Dni 1722 Come again as well the said Libellants by their procurator aforesaid as the said Libellees by Joshua George Gent. his procurator. And it is Rule for a hearing on Libelle and Answer this Cause unto further proceedings the Libellants proctor having had Notice of this rule. Nevertheless — the said Cause is further Continued untill Nov.l Court and the same Day is given to the Libellants and Libellees Also.

At which said Nov.l Court to wit the 12th Day of June Anno Dni 1722 Come again the said parties Libellants & Libellees by their procurators aforesaid And the said Libellants by their procurator aff.d File their Replication to the Libellees said Answer which follows in these words viz.t

The Replication of the Vestry of St. Michaels parish in Talbot County to the Answer of Michael Fletcher Defendant to the said replyants Libell and Complaint &c.

The said Replyants — Saving to themselves all Advantages of Exception to the Uncertainties Untruths and Insufficiencies of the Defendants said Answer for replication thereunto saith that all and Singular the Matters & things in the replyants said Libell Contained are true as the same are therein alledged And that the Answer of the said Defendant to the said Libell is very untrue Imperfect and Insufficient to be replyed unto And are ready to aver maintain and prove the same as this Hon.ble Court shall Award And humbly pray as in their said Libell they have prayed

T Larkin p Repl.d

Whereupon It is Ordered that Com: Issue to Examine Witnesses in this Cause Directed to Mess.rs James Lloyd — Michael Howard William Clayton and philip Foddeman or any three or two of them in.r Carriage to the Libellants And Rule hearing on the Proceedings as they now stand Unto return of the Com.n by next Court. And Thereupon this Action is further Continued untill Nov.l Court. The Same Day being given to the Libellants and Libellees —

At which said Nov.l Court to wit the 14th Day of August ~~being the~~ Anno Dni 1722 Come again the said parties Libell.ts and Libellees by their procurators aff.d And the s.d Libellants prefer to to the Court here the following petition viz.t

To

To the Hon.ble William Holland Thomas Addison and Daniel Dulany Esq.rs Comissary Generalls of Maryland — —

The Humble Petition of the Vestry of St. Michaels parish most humbly sheweth to Your Honours that whereas a Comission was Sent from this Hon.ble Court Directed to James Lloyd Michael Howard William Clayton and philip Foddeman Gent to Examine Witnesses Touching a Matter of Controversy Depending in this Hon.ble Court Between Your Petitioners and a Certain Michael Fletcher. Upon Examination of the Affair the Comissioners aforesaid Do return the said Comission to Your petitioners. And Say that there is no Witnesses Nominated to them but the Books of Coll Thomas Smithson Dead (which they by Vertue of the s.d Comission) have no power to Demand wherefore Your petitioners most humbly pray that Your Honours will graciously be pleased to Order Duces Tecum to issue from this Court Directed to the said Michael Fletcher Ordering him to be and appear before Your Honours at this Hon.ble Court & to Bring the Books of the said Smithson into this Court in Order that the Truth of the premises may appear And Your Petitioners in Duty Bound shall ever pray &c.

Whereupon It is Ordered that Duces Tecum issue directed to the Libellees Commanding him to bring the Books of the said Smithson into Court Saving to himself the Liberty of Excepting or Objecting to their being made in Evidence. which is Accordingly Done And the Cause is further Continued untill Nov.l Court. The Same Day being given to the Libellants and Libellees ...

At which said Nov.l Court to wit the Ninth Day of October Anno Dni 1722 Come again the said parties Libellants and Libellees by their procurators aforesaid. And for that it appears to this Court here that the Duces Tecum was Obtained upon false Suggestions It is Rule the Same be Quashed. And that all the unnecessary Charges the Libellees hath been put to by the irregular proceedings of the Libellants be paid by the Libellants. And likewise that the Books of s.d Coll Smithson be Lodged in Court for the Inspection of the Court, And the per wall of the Libellants. Whereupon the said Action is further Continued untill Nov.l Court And the Same Day is given to the Libellants and Libellees Also

At which said Nov.l Court to wit the Second