Willm Buckner and hopes to prove that the Books of Accounts and papers of the Testator have been kept in the possession of the Libellant untill by order of this Honble Court they were ordered to be lodged in this Office thereof for the perusal of both parties and that the said Buckner has before the Exhibiting the Libell in this Cause required the said Libellant to let him have them which the said Libellant refused to deliver untill the said Buckner would come to a fair Account with him which this Respondent believes to be the Cause why a List of Debts has not been returned and without which this Respondent is advised he could not settle a full Account with him and this Respondent further saith that he hath heard and believes that the Libellant has other Books or papers of the Deced in his Custody more than those that are brought into the Office aft. And this Respondent further saith that he hath heard and believes that the Libellant set free a Negro Woman that was appraised to this Respondent in the Inventory of what the Libellant delivered him. That this Respondent has ~~always~~ promised & was always ready to deliver unto the said Libellant whatever was his due to the best of this Respondents knowledge and Remembrance but that this Respondt could never be ascertained what that was The said Libellant never having made this Respondt privy to the affaires of the Deced nor can this Respondt believe that ever the Libellant delivered him the full personall Estate of the Testator that he left at the time of his Death ~~nor~~ never having given any Accounts of what had been converted to the use of the said Libellant & his Wife which this Respondt believes must have been considerable there being much time spent twixt the Testators decease & the return of the first Inventory that this Respondt to prevent any disputes that might happen twixt the Libellant and this Libellee concerning what was the Libellants Right has offered to put it to reference which tho the Libellant seemd at first to agree to yet has afterwards declined that this Respondt thinks it strange that a Gent of the Libellts Character should part with more than was due from him to this Respondent and this Respondt hopes upon the Issue in this Cause he may have leave to prove the Defendant even in this Instance a Man of better understanding in Secular affaires than to part with a Bird in the Hand. That this Respondt is advised that the said Libellant ought to Account in this Honble Court for all such Debts that were due to the Testator which

(he

he recd during the Life of his Wife but that for any outstanding or Debts he recd after the Death of his Wife he has no Right to any part thereof nor to any other thing in Action that his said Wife had a Right to as Exec. This Respondent for better certainty refers to such proceedings in the Office of this Honble Court as he has any way mentioned in this his answer and this Respondt humbly prays that the said Libellant may be obligd to take the Oath of Calumny in Support of his said Libell according to the Rules & practice of this Honble Court and that therein he may be obligd to set forth what Effects of the Testators ever came to his Hands possession or knowledge and how they are disposed of or what became of them, and also what Gifts were made during his concern with the said Estate or after the Testators decease and that he may make such reply as may bring the same matters in contravery to a fair Issue before Your Honours that on a full hearing this Respondent may be dismist with Costs &c.

W: Cumming

June 25th 1724 The aforegoing Respondent makes Oath that what in his aforegoing Answer is alledged as of his own Act or certain Knowledge is true and what is therein alleged as of his belief or the Act of another he believes to be true and what is therein denyed is not true

Jur coram me Wilany

And thereupon it is ordered that the papers contained in a certain trunk lodged in this Office be produced for the benefit of both parties in order to the speeding this tryal and this Cause is continued untill next Court and the Same Day is given to the Libellant & Libellee also. ∾

At which said next Court to wit the Second Tuesday of July being the 14th Day of the Same Month Anno Dom 1724 Come again the said Parties Libellant & Libellee by their Procts aft And this Cause is continued untill next Court and the Same Day is given to the Libellt & Libellee also. ∾

At which said next Court to wit the Second Tuesday of September being the 8th Day of the Same Month Anno Dom 1724 Come again the said Parties Libellant & Libellee by their Procts aft, And this Cause is continued untill next Court and the Same Day is given to the Libellant & Libellee also. ∾

(At which