Maryland ss:

At a Prerogative Court held at the City of Annapolis in Annarundel County for the Province of Maryland on the Second Tuesday of November being the twelfth Day of the same Month Anno Domini 1728

Present

The Honble { Charles Calvert Esq: } Commissary General

Who orders the Docket of Causes to be called over & proceeds therein as follows (viz:)

E J John Browne & Rachel his Wife — } Be it remembered that on the
22: July 1727 — Edward Scott Exec: of Coll: Edward Scott } 22: Day of July Anno Dni 1727 the said John Browne & Rachel his Wife exhibited their certain Libel and complaint against Edward Scott Executor of Coll: Edward Scott which follows in these Words (viz:)

To The Honoble Charles Calvert Esq: Comissary General of the Province of Maryland.

These Libellants John Browne & Rachel his Wife intend to prove that the said Rachel sometime since was intermarried with a certain Edward Scott of Kent County deced who on the twenty eighth Day of October Seventeen Hundred & twenty five made his last Will & Testament and thereof Your Libellant Rachel & his Son Edward Scott his Sole Executors That the said Edward Scott the Testator afterwards died after whose death the said Edward Scott the Son by many Specious pretences prevailed with Your Libellant Rachel to refuse to take upon herself the joynt Execution of the said Will with him the said Edward Scott the Son by which means after the s: Will was duely proved Letters Testamentary of the said Will were granted to the said Edw: Scott the Son and he hath



hath taken the Execution thereof as by the Probat of the s: Will & Comission of the said Letters Testamentary now remaining in this Hono:ble Court more fully appears and your Libellants further shew & intend to prove that the said Edward Scott the Testator by his said Will amongst other things made the following bequest to your Libellant Rachel (viz:) Imprimis I give & bequeath unto my loveing Wife Rachel Scott all & singular my Plantation & Tract of Land called Rousby recovery or Rousby County for & dueing her natural Life and also all the Land joyning thereunto all Edifices House and buildings belonging unto the said Tracts of Lands except two thirds of the Mill which said Bequest of the said Lands is in full satisfaction of the thirds of my real Estate, I also give and bequeath unto her one Negro Girl that was formerly her own Poll and all her wearing apparel & Rings, and also any Horse belonging to me & Saddle and Bridle & her choice of any Bed and furniture belonging to me which said personal Estate is to be paid her more than the third part of the personal Estate as by the Will and bequest therein now remaining in this Hono:ble Court more fully appears That the Libellant Rachel and the Libellant John since his intermarriage as a fores: in right of his said Wife became intituled to the said several particulars of y: personal Estate in the said Bequest mentioned But the said Edward Scott the Son having by virtue of the Letters Testamentary aforesaid got into his possession all the personal Estate which belonged to the said Edward Scott the Testator refuses to deliver to these Libellants the said Legacy in the said bequest under pretence that the Libellant Rachel hath refused & renounced all right and Title which she might have claimed by the said Will whereas these Libellants expresly charge and intend to prove that the Libellant Rachel hath not made any other refusal or Renunciation of the Devises in the said Will than by her refusal to accept of the Devise or bequest to her made by her said deceased Husband Coll: Edward Scott by his last Will and Testament in writing touching or concerning the real Estate therein by him disposed of to her the said Libellant Rachel by which said refusal the said Libellants are advised & insist that they are not barred from having the said several particulars of the personal Estate in the said devise expressed And these Libellants further shew and intend to prove that the said Edward Scott the Exec: in the Account between the said Edward and this Libellant Rachel hath under the pretence aforesaid charged this Libellant Rachel Dr: with the (said Negro