Commission issue to examine Evidences in this Cause directed to Mess.rs James Harris John Evans, Frederick Hanson & George Thirwen Gent.n ~~[illegible]~~ which issued accordingly returnable with all convenient speed and this cause is continued until next Court and the same Day is given to the Libellants & Libellee also.

At which said next Court to wit) the second Tuesday of May being the 14th Day of the same Month Anno Dom.i 1728 come again the said Parties Libellants & Libellee by their Procurators aforesaid and it is ordered that Commission renew to examine Evidences in this Cause which was renewed accordingly returnable with all convenient speed and thereupon this Cause is continued until next Court & the same Day is given to the Libellants & Libellee also.

At which said next Court to wit the Second Tuesday of July being the 9th Day of the same Month Anno Dom.i 1728 come again the said Parties Libellants & Libellee by their Procurators afores.d but there being no return of the Commission that issued to examine Evidences in this Cause it is continued until next Court & the same Day is given to the Libellants & Libellee also.

At which said next Court to wit the Second Tuesday of September being the 10th Day of the same Month Anno Dom.i 1728 come again the said parties Libellants & Libellee by their Procurators aforesaid And the Commissioners to whom the aforesaid Commission to examine Evidences was directed make return thereof to the Court here with the Depositions taken by vertue thereof annexed thereto which were ordered to be publisht & are as follow (viz.t)

Kent County in Maryland } Pursuant to a Commission issued out of the Prerogative Court for Probat of Wills &c. bearing date at the City of Annapolis, the seventeenth day of June in the fourteenth Year of the Dominion of Charles absolute Lord & Prop.r &c. Annoq. Dominii 1728 ~~

Empowering James Harris, John Evans, Frederick Hanson and Geo: Thirwen or any three or two of them, to examine Evidences on their corporal Oaths in a certain cause, in the afs.d Prerogative Court depending Between, John Browne & Rachel his Wife Libellants & Edward Scott, Executor of Edward Scott

Scott Libellee ~ ~

We humbly certifie; to his Honour Charles Calvert Esq.r Chief Judge, & Comissary General That in complyance to the foresaid Commission We did on the Sixth Day of July Anno 1728 ~ meet at Chester Town, at the House of Henry Cully, in the afs.d County & then & there; having appointed the following Evidences to appear as also given Notice to the afs.d John Browne, & Edward Scott, to be present who were accordingly. & the first Evidence by the afs.d John Browne desired to be sworn was Sarah Rogers who being by us sworn on the Holy Evangels of Almighty God to declare the truth & what she knew in relation to the premises aforesaid ~ who declares as follows in her Deposition on the other Side

The Deposition of Sarah Rogers, aged about thirty Nine in Answer to the first interrogatorie; she has known both the parties, Libellants, & Libellee for those ten Years last past ~

To the Second Interrogatorie, Answers, She did know Coll.d Edward Scott late of Kent County, at his death & for twenty Years before.

To the third Interrogatorie she's wholly ignorant.

To the fourth Interrogatorie, this Deponent cannot directly or positively answer.

To the fifth, & last Interrogatorie, this Deponent declares she heard Coll.d Ed: Scott, or his last Wife say that he proffered his Son Edward Scott, a Negro if he would ask his Mother the said Rachel for one & if she was willing, He should have one, He was was willing that He should.

And further this Deponent saith that the said Rachel told her, that the said Edw.d Scott did ask her for a Negro & the said Rachel replyed she was willing he should have one ~ This Depon.t believes that it was a Young one but whether Boy or Girl, or told as afs.d in the Coll.d Life time, she cannot be positive but is that she was told so since his Death by y.e s.d Rachel And further this Deponent saith that a short time after the s.d Rachels marriage to Coll.d Scott the said Rachel told this Dep.t that Coll.d Scott told her, That a Negro Girl w.ch she had of her Grand Mother He never intended, she should be reckoned in His Estate. & further this Dep.t saith not.

The Deposition of Ann