Court & the same Day is given to the Libellant & Libellee also —

At which said next Court (to wit) the Second Tuesday of September being the 10th Day of the Same Month Anno Domini 1728 come again the said Parties Libellant & Libellee by their Procurators aforesaid, and it is ordered that Attachment issue for Answer against the Libellee which issued accordingly returnable next Court, And thereupon this Cause is continued until next Court, and the same Day is given to the Libellant & Libellee also.

At which said next Court (to wit) the Second Tuesday of November being the 12th Day of the Same Month Anno Dom. 1728 and the Day of the return of the Precept aft. come again the said Parties Libellants & Libellee by their Procurators afores. and the Sheriff of Calvert County to whom the same precept was directed likewise comes and makes return thereof to the Court here under writ

Attached
H. Ks Smith Sher

But the said Patrick doth not appear & put in his Answer according to the tenor of the Precept aforesaid, whereupon it is Rule'd that unless the said Answer be filed by Saturday the 23d Day of this Instant November, further process should issue against him, 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) this Second Tuesday of January being the 8th Day of the Same Month Anno Dom. 1728 come again the said Parties Libellants & Libellee by their Procurators aft., and the afores. Patrick Andrew the Libellee having filed his Answer to the Libell aft. the same was received and follows in these Words (viz.)

The Answer of Patrick Andrew of Calvert County Gent Respondent to the Libel & complaint of James Gibson Libellant

This Respondent now and at all times hereafter saving and reserving to himself all and all manner of benefit and advantage of Exception to the manifold uncertainties and insufficiencies of the Complainants said Libel or complaint protesting that the said James Gibson at any time before or after the Administration granted to him of the Estate of the said Kendall Head did not give or tender Security to refund to this Respondent

in case

in case any latent Debts should appear agt. the Estate of the said John Bigger in the Libel mentioned according to the form of the act of Assembly in that Case made and provided but altho Requested by the Respondent refused so to Do and likewise protesting that he is advised that the Libellant is not Intitled to a recovery of the Bequeasts made by the aft. John Bigger to the aft. Kendall head the said Kendall not having attained to the age of twenty one years to Receive the same, for answer thereto or to so Much thereof as this Defend.t is advised is any Ways materiall for him to make answer unto nevertheless Answereth and saith that the said John Bigger in the Libell Mentioned died possessed of a Considerable Personall Estate and made his last Will and Testament on the Day and year set forth in the said Libell and likewise did make the two following Bequests

I give and bequeath unto the s.d Head and his heirs seven Young Negroe slaves now alive and in my possession called by the severall names following viz.t One boy named Joe, one boy named Sam, and One boy named Charles and one Girl named Mary one girl named Patty one girl named Hannah and one Girl called Nell together with all such Children as shall be Born of the said negroe girls all which said seven negroes and their Children to be kept and Maintained by and Remaine in Possession and Custody of my said wife and Trustees as aforesaid till the said Kendall Head shall attaine his age of twenty one years and then to be Delivered to him without any manner of Charge Expence or Diminution of them or their Children and if in Case either of the said seven Negroes Die the Value of him or them to be made good to the said Kendall & his heirs out of the Rest of My Estate before any Division I give also unto the said Kendall Head the Negro Child of which my negroe Settee is now in Labour of and to be named Wat

Item I further give and Bequeath unto the s.d Kendall Head

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