of the said Mary deceased in the dwelling House and in the possession of the Defend.ts now wife where they did remain until November Court thereafter. at which said Court the said Hewett and Loochermann then and there in Court did renounce the right of Administration That whereupon this Defendant intermarrying his now wife after the said Renunciation and before Administration Granted to the Complainant. presumeing the right of Administration was then Vested in him in right of his wife as next of Kin. and this Defendant tending several days on the Deputy Commissary of Dorchester County to meet with him to obtain Letters of Administration on said Estate but by some means being disappointed in the mean time the Complainant Obtained Letters of Administration of the said deceds Estate who by vertue thereof appraised & carried away the Goods and Chattles of the said deced save some few which are mentioned in a Schedule hereunto annexd to which this defend.t begs leave to referr as part of his Answer. This Defend.t says he has no other Goods or Effects belonging to the said Estate other than what is mentioned in the af.d schedule nor knows not of any in the hands or possession of his wife. This Defendant denys that ever he concealed the said Goods or any Goods belonging to the said Estate from the Complainant but after the Administration Granted to the Complainant was always ready to have delivered up the same to the said Complainant and in a small time after the said Administration offered to the Complainant to deliver upon Oath what Effects were in this Defendants possession belonging to the said Estate without that that there is any other Matter or thing in the Complainants said petition of Complaint material or Effectual for this Defendant to make answer unto and not herein or hereby before well and sufficiently answered unto Confessed or avoided traversed or denyed is true all which this Defendant is ready to Aver Justifie maintain and prove as this Honourable Court shall award. and therefore prays to be hence dismissed with his reasonable Cost and Charges in this behalf most Wrongfully sustained. William Cummings for Resp.t

Mr. John Tollett makes Oath on the holy Evangelists of Almighty God that What he hath herein Answered of his own Act or certain knowledge is true and that what he hath answered as of his belief or of the Act of Another he believes to be true. Sworn to before me this 11.th January 1729 Cha: Calvert Com.ry Gen.ll

Schedule of Goods in the Answer hereunto annexd Viz.t
A Small Indian Trading Gun; a p.r Old Cotton Sheets; An Old Blanket; Two small pewter Basons; Three Old pewter plates; a Small Shagreen Case for Surg.ns instrum.ts
Jn. Tollett

But the said Mary Tollet doth not appear. Whereupon it is Ordered that Attachment issue

issue to the Sherriff of Dorchester County against the said Mary Tollet to file her Answer to the petition aforesaid and also it is ordered that Commission issue directed to Mess.rs Thomas Hewett and William Murray of Dorchester County Gent to take the said Mary Tollets Oath to her said Answer which Attachment and Commission both issued accordingly returnable next Court and thereupon this cause is continued until Next Court and the same day is given to the Complainant and Defendants also.

At which said next Court to wit the Second Tuesday of March being the twelfth day of the same Month Anno Domi 1729 and the day of the return of the precept af.d comes again the said parties Complainant and Respond.t by their procurators af.d and the Sherriff of Dorchester County af.d to whom the same was directed likewise comes and makes return thereof Endorsd Cited & Summoned af.d James Woolford Sher

Whereupon the said Mary Tollet by her procurators appears and Exhibits her Answer to the petition af.d but for that the said Mary Tollet hath not purged her Contempt it is Ordered that the said Answer be not received, and also it is ordered that Attachment be renewed against her for Answer. which was renewed accordingly returnable next Court and thereupon this Cause is Continued until Next Court and the same day is given to the Complainant and Defendants also.

At which said Next Court to wit the Second Tuesday of May being the Fourteenth day of the same Month Anno Domi 1729 and the day of the return of the precept af.d comes again the said parties Complainant and Respondent by their procurators af.d and the Sherriff of Dorchester County to whom the same was directed likewise comes and makes return thereof Endorsd Attach.d af.d James Woolford Sher

Whereupon the said Mary Tollet appears and having purged her Contempt she files her answer to the petition of the aforesaid Joshua Kennerly which is received and follows in these words (Viz.t)

The Seperate Answer of Mary Tollett of Dorchester County, the Wife of John Tollett of the County af.d one of the Defendants to the petition and Complaint of Joshua Kennerly of the County af.d petitioner.

This Defendant now and at all times hereafter saveing and reserveing to herself all and all manner of Benefit and Advantage of Exception to the manifold incertainties and insufficiences of the petitioners said petition of Complaint for answer thereunto or to so much thereof as this Defend.t is advised any ways material for her to make Answer unto, answereth and saith. That in some small time before the death of the said Mary Orrell in the petition mentioned the said Mary did make and sign her Last Will and Testament and in the same did nominate and appoint Thomas Hewett & Gooverd Loochermann