Loocherman of the said County her Executors. That the said Mary afterwards to wit in the Month of September Anno Domini seventeen hundred and twenty six departed this life leaveing this Defend.t her eldest daughter in full possession of her dwelling house and Effects therein. That the said Hewett and Loocherman by vertue of the Will af.d did immediately after the death of the said Mary come to the said dwelling house and demanded of this Defendant the Keys of the Office where her mothers Books of Accounts and other papers to her belonging then were. That thereupon this Defend.t did deliver the said Keys to the said Hewett and Loocherman who then took into their Custody the said Books and papers and carryed them away with them leaving the Goods and Chattles of the deceased in the dwelling house and in this Defendants possession where they did remain until November Court thereafter, at which said Court the said Hewett and Loocherman then and there in Court did renounce the right of Administration. That thereupon this Defendant was married to her present Husband John Tollett after the said Renunciation and before Administration Granted to the Complainant That this Defendant and her said Husband presumeing the Right of Administration to be vested in her said husband in right to this Defendant as next of Kin. This Defendant and her said husband attending several days on the Deputy Commissary to meet with him to obtain Letters on the said estate but by some means being disappointed. in the meantime the Complainant obtained Letters of Administration of the deceds Estate who appraised and carryed away the Goods and Chattles of the said deceed save the Defendants wareing apparell which were delivered to her by the Deceed in her life time and used by this Defend.t in the Deceds service. and to which this Defend.t conceives she has a good Right and save some few which are mentioned in a Schedule hereunto annexed to which this Defendant begs leave to refer to as part of her Answer this Defendant says that she hath no other Goods or Effects belonging to the said Estate other than what she hath already mentioned and what is re.d to in the af.d Schedule nor knows not of any in the hands or possession of her said husband This Defendant denys that ever she concealed the Goods belonging to the said Deceed from the Complainant after Administration Granted to him, Without that, that there is any other matter or thing in the petitioners said petition of Complaint material or Effectual for this Defend.t to make answer unto and not herein or hereby well and sufficiently answered unto Confessed or avoided traversed or denyed is true all which this Defendant is ready to aver Justifie and maintaine and prove as this Honourable Court shall award and therefore prays to be hence dismissed with her reasonable Costs and Charges in this behalf most Wrongfully sustained.

William Cumming ap.d Libellee

Mary Tollett makes Oath on the holy Evangelists of Almighty God that what she hath herein answered as of her own Certain knowledge is true and that what she hath answered as of her belief or of the Act of another she believes to be true.

Sworn to before us the subscribers Commissioners especially appointed by vertue of a Commission to us directed and issued out of the Prerogative Court this first day of March Anno Domini Seventeen hundred twenty and seven.

Tho.s Hewett
Wm. Murray

A Schedule of the Goods as mentioned in the Answer to Joshua Hennerly's Petition of Complaint Vi.z

An Old Blanket; a pr. Old Cotton sheets; 2 pewter basons small; 3 pewter Old plates; a small indian Gun; an Old presbeterian Book; an Old Common prayer Book; an Old Basket for Cloaths

Mary Tollett

To which foregoing answers Joshua Hennerly the Complainant Generally replyes and thereupon the said parties Complainant and Defendants strike Commissioners and it is ordered that Commission issue to Examine Evidences directed to Messr.s John Kirk William Murray, Thomas Brannock and Thomas Howell or any three or two of them with Carriage to the Complainant and this Cause is Continued until next Court and the same day is given to the Complainant and Respondents also.

At which said next Court to wit the second Tuesday of July being the Ninth Day of the same Month Anno Domi 1728 comes again the said parties Complainant and Respondents by their procurators af.d but for that there is no return of the Commission that issued to Examine Evidences this Cause is Continued until Next Court and the same day is given to the Complainant and Respondents also.

At which said next Court to wit the second Tuesday of September being the Eleventh day of the same Month Anno Domi 1728 comes again the said parties Compl.t and Respondents by their procurators aforesaid but for that as yet there is no return of the Commission af.d this Cause is further Continued until Next Court and the same day is given to the Complainant and Respondents also.

At which said next Court to wit the second Tuesday of November being the twelfth day of the same Month Anno Domi 1728 comes again the said parties Compl.t and Respondents by their procurators af.d and the Commission af.d with the Depositions taken