Honourable Court for Summonses or Citations to issue to Cite & Summons such Evidences as Your Petitioner shall think proper at a certain day to appear at this Honourable Court and that on Notice being given to the said Robert Rushbrook to appear as aforesaid if he shall think proper and that on Your Petitioners proving the allegations aforesaid that the pretended will aforesaid may not be received or Recorded in this Court and that by the Decree of this Honourable Court the same may be adjudged to be Null and Void and that the Letters Testamentary Granted to the aff.d Robert Rushbrook be Revoked and Letters of Administration of the Deceased Estate Granted to Your Petitioner the Brother nighest of Kin and the Deceased's only Residuary Legatee

And Your Petitioner as in Duty bound shall pray &c.

April 6th 1733 —

William Cumming } Pet.r

Whereupon the said Benjamin Jones hath His Lordships Writs of Citation to him granted directed to the Sheriff of Calvert County commanding him to Cite and Summons Timothy Thorn, Mary Lawbreth, Jacob French and Michael Asque that they be and appear &c. to Testifie for the said Benjamin Jones on his Petition and Complaint aforesaid Returnable to the second Tuesday of May then next and also at the instance of the said Benjamin Jones a Copy of his Petition aforesaid was made out to be served on the said Robert Rushbrooke —

And the aforesaid Robert Rushbrooke the Defendant on his application likewise hath His Lordship's Writs of Citation to him granted directed to the Sheriff of Calvert County aforesaid commanding him to Cite and Summons Richard Poole William Lynds and Thomas Hardisty that they be & appear &c. to Testifie on his behalf against the Petition and complaint aforesaid Returnable on the said second Tuesday of May

At which said second Tuesday of May being the 8th day of the same Month Anno Dom.i 1733 and the day of the return of the Precepts aforesaid comes again the said Complainant by his Procurator aff.d and also the Defendant Robert Rushbrooke by Edmund Jennings Esq.r

(his)

his Procurator appears and the Sheriff of Calvert County aforesaid to whom the same were directed likewise comes and makes return of all the said Citations endorst — Summoned } Gabriel Parker Shff.

But by reason of His Honour the Judge's absence this cause is continued until next Court & the same day is given to the Complainant and — Defendant also —

At which said next Court to wit the second Tuesday of July being the tenth day of the same Month Anno Domini 1733 came again the said Parties Complainant and Defendant by their Procurators aff.d and the cause is — continued untill next Court & the same day is given to the Complainant and Defendant also —

At which said next Court to wit the second Tuesday of September Anno Domini 1733 came again the said Parties Complainant and Defendant by their Procurators aforesaid and thereupon it is ordered that Citation be renewed on behalf of the Complainant against Mary Lawbreth Jacob French and Michael Asque and issued for Thomas Holland, and also on behalf of the Defendant that Citations be renewed against Richard Poole William Lynds and Thomas Hardisty and issued for William Lyles and Mary Austin all which Citations were accordingly renewed and issued Returnable next Court to which time this cause is continued and the same day is given to the Complainant & Defendant also

At which said next Court to wit this second Tuesday of November Anno Dom.i 1733 and the day of the return of the Precepts aforesaid came again the said Parties Complainant and Defendant by their Procurators aff.d and the Sheriff of Calvert County aforesaid to whom the same were directed likewise comes and makes return of the said Citations to the Court here endorst

Summoned } Gabriel Parker Shff. Calvert County

Whereupon the said Parties Complainant and Defendant by their Procurators aforesaid appear, afterwards in the same Court the Defendant Robert Rushbrooke lodges with the Register the following Letter viz.t —

November the 28th 1733 —

Calvert County near Fishing Creek

Mr. W. Gibson This is to let you know that I and Benj.a Jones have agreed & I am willing that the will may not be Recorded this is from Your humble Servant

Robert Rushbrook

endorst To Mr. John Gibson Register of the Commissary's office at Annapolis This

(and)