Ann Arundell County returns further Continued

Samuel Quichard his Inventory £433.18.04 James Butcher his Inventy £114.06.08½

Which Preceding Bonds are ordered to be filed and the other Proceedings Recorded

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1st July. Was Exhibited from Ann Arundell County

Samuel Peale his Account by Samuel Peale his Admr.

Which is ordered to be Recorded

Maryland ss At a Prerogative Court especially appointed and held at the City of Annapolis in Ann Arundell County on Tuesday the 2d second day of July Anno Domi 1734 —

Present

The Honble Daniel Dulany Esq. one of the Commissary's General

Whereas heretofore Viz. on the 27th day of May last a certain Richard Davies of Kent County ~~of Baltimore County~~ exhibited the following Petition ss

To the Honourable Benjamin Tasker & Daniel Dulany Esqrs Commissarys General for the Province of Maryland

The Petition of Richard Davies of Kent County

Humbly Sheweth

That a certain John Austin had Intermarried with Rosamond the Widow and Exor. or Admr. of William Smith late of the same County deceased

That the filial Portion of the same Williams Personal Estate which upon Distribution belonged to Hannah one of the Orphans of the said William & amounted to One hundred thirty and six pounds Seventeen Shillings and ~~six~~ Nine Pence Currant Money of the Province of Maryland which Sum the said John Austin received into his hands and possession —

That in the Year Seventeen Hundred and Twentyfive the same John Austin with Robert Green and Maurice Carter his Sureties entered into bond

(in)

in Kent County Court (according to Act of Assembly in that case provided) in double the aforesaid Sum with Condition for the payment of the filial portion afs. to the same Hannah Smith when she should arrive at the age of Sixteen Years or at her Day of Marriage which should first happen —

That the aforesaid Robert Green and a certain John Harris and Susanna his Wife Exor. of the afs. Maurice Carter being uneasy with the same John Austine by reason of their being Security's as afs. Your Petitioner in the Year Seventeen hundred twenty and Eight was prevailed upon by the same John Austine to enter into a bond together with him and Alice Collier in the Sum of Two Hundred Seventy three pounds fifteen Shillings and six Pence Currency with Condition thereto Subscribed that if Your Petitioner the afs. John Austin and Alice Collier or any of them their or any of their Heirs Exors. or Admrs. should acquit and discharge save harmless and indemnify the afs. Robert Green his Heirs Exors. and Admrs. and the afs. John Harris and Susannah his Wife and the Heirs of the afs. Maurice against the afs. Hannah Smith her Exors. Admrs. and Assigns from all Damages Sums of Money Costs charges and Incumbrances which they or any of them should or might at any time sustain or be put unto for or by reason of their Obligation afs. that then the same bond of Your Petitioner with John Austin and Alice Collier to be Void otherwise in force

That the afs. John Austine is lately deceased not leaveing (as Your Petr. is informed and hopes to make appear) sufficient Estate either Real or personal to discharge the filial Portion of the Orphan afs.

That the afs. Alice Collier is very poor and hath no Estate whereby to discharge or to contribute with Your Petr. in discharging the same filial portion whereby Your Petitr. apprehends himself to be liable to the payment of the whole altho he hath not nor ever had any of the Effects of the afs. William Smith Hannah Smith or John Austine

That Rosamond the Widow of the afs. John Austine and the afs. Alice his Mother have both Refused the Adtion of what small personal Estate the said John has left and a certain Benjamin Vaughan hath applyed to the Deputy Cty of Queen Anns County for the same Adtion as being a Creditor of the aforesaid John Austin which the said Deputy Commry seems inclinable to Grant

That unless Your Petr is preferred to the same Adtion he must unavoidably pay the filial portion afs. and never have the least Recompence for the same

May it Therefore please Your Honours the premises considered to order Citation for the aforesaid Benjamin Vaughan to appear before you at a certain Day to show cause (if any) why Your Petr. should not have Adtion of the Estate of the same John Austin and that upon Your Petrs making appear the truth of the premisses Your Honours would be pleased to Grant or order the aforesaid Deputy Commissary to Grant to Your Petitioner the same (Adtion)