forforth as his Personal Estate did extend and the law Would charge
as also all such reasonable Charges and Fees as did arise or become
due to his Lordships Officers from the said Ann on Account of the said
Deceased or his Estate and further did make a Just and True Account of her
Administration before the third day of May next ensuing the date of the
said Writing Obligatory and all the rest and residue of the said Goods
Chattells and Credits which were found remaining upon the said Ad-
-ministratrix's Account the same being first examined and Allowed by
the Judges or Judges for the Time being did deliver and Pay unto the
Person or Persons Appointed by Law to receive the same to wit at
Charles County aforesd and this they are ready to verify and soforth wherefore
they pray Judgment if the said Attorney General for the said Lord Pro-
-prietary the Action aforesd against them the said Cyrenius and Ann to have
or Maintain ought and soforth

And as to the second Plea aforesd the said Attorney General for the said
Lord Proprietary saith that he by any thing by the said Cyrenius
and Ann prealledged from having or Maintaining the Action aforesd ought
not to be Precluded because he saith that besides the aforesaid Ann Widow
of the said Deceased the next of Kin and only Representatives of the said
Deceased were Children of the said Deceased to wit

And the aforesaid Richard at whose request the Writ Ori-
-ginal aforesd was impetrated and that the residue of the Surplusage of the
said Deceased's Estate after one third Part thereof allowed to the said
Ann as Wife of the said Deceased amounted to wit on the day of
in the Year of our Lord Seventeen hundred and at the
County aforesd unto the sum of the sum of
Part thereof Payable in Negroes the sum of
Also part of the aforesaid sum of Payable in Cattle Hor-
-ses and Sheep and the residue of the aforesaid sum of
(Payable)

Payable in Current Money and the said Attorney General saith that the
Part or Share of the said Richard of the aforesd sum of then
and there Amounted unto the sum of the sum of
Part of the said last mentioned sum Payable in Negroes the
sum of Also part of the aforesd sum of
Payable in Cattle Horses and Sheep and the residue of the aforesd sum of
Payable in Current Money Nevertheless neither the aforesd Ann after
Administration Committed unto her after the Death of the said Deceased
nor at any time after the Death of the said Deceased and whilst She
was Sole nor the said Cyrenius and Ann nor either of them after the espous-
-als Between them Celebrated tho' often required the Share aforesd of the said
Richard or any part thereof have Paid But the same to Pay to the said
Richard have hitherto altogether refused and still do refuse Wherefore the
said Attorney General for the said Lord Proprty prays Judgment for his
Debt aforesd together with his Damages by Occasion of the Detention the-
-of to the said Lord Proprty to be Adjudged and soforth

And the said Attorney General for the said Lord Proprietary prays that the
said Cyrenius Cheseldyne and Wife to his Replication aforesd in the Plea aforesd may Answ-
But the said Cyrenius Cheseldyne and Wife altho Solemnly called come not but
makes Default by which the same Lord Proprietary remains against the said Cyre-
-nius Cheseldyne and Wife thereof undefended

Therefore it is Considered by the Justices here that the said Lord Proprie-
-etary ought to recover his Damages against the said Cyrenius Cheseldyne and Wife
by means of the Premisses aforesd But because it is unknown unto the said Justices
what Damages the said Lord Proprietary hath Sustained by the Occasion aforesd
It is thereupon Commanded the Sheriff of Charles County that by the Oath of Twelve
Honest and Lawfull Men of his Bailiwick Deligently to enquire what Dama-
the same Lord Proprietary hath Sustained as well on the Account aforesd as for his
Costs and Charges by him put unto about his Suit in this behalf And the Inquisition
which he shall thereof take he send to his Lordships Justices of the Provincial Court
to be held at Annapolis the Second Tuesday of April next under his Hand and
Seal and the Seals of them by whose Oath he shall take that Inquisition and
that he shall have then and there the writ of the said Lord Proprietary to
(then)