

miss^o to such as yo^r L^{spp}: should appoint to Review the sentence of the said Delegates as is vsuall in such Cases, and in the meane time that all proceedings on the said Delegates Decree might be stayed. That his Hono^r the Governo^r gave noe answer to the said Peticōn, but would consid^r thereof, And nothing hath been further Acted in relation to the said Will since, But yo^r Pet^r is daily sued by Deerys Credito^{rs} and severall Judgemts passed ag^t him, And yo^r Pet^r hath paid and is lyable to pay severall great summes of tobacco, ffor satisfaction whereof and other Credito^{rs} and yo^r Pet^{rs} s^d Debt and his just expences and Disbursem^t: in relation to the said Adm^cōn he hath sued the said Quigley in the said two Acco^{ts} to w^{ch} the said John Quigley hath pleaded the Decree of the said Delegates, and that he is Executo^r and yo^r Pet^{rs} Adm^cōn is void and Null, And yo^r Pet^r hath replied thereto and Justified his Actions as Adm^r: as afores^d and the same coming on in the Docquett the 13th of March 1678/9 before the Hon^{ble} the Chancelo^r the Secry, Baker Brooke Esq^r and Benjamin Rozer Esq^r they the said Baker Brooke Esq^r & Benjamin Rozer Esq^r refused to sitt and give any Judgem^t therein, being that point in question had been Debated before them in the Court of Delegates, and his Hono^r the Chancelo^r had also had the hearing thereof, and they had delivered their severall Opinions therein already, soe that there is not a Sufficient number to make a Court, whereby there is a failure of Justice for want of a Court, and noe way left for yo^r Peticōner to recover the said Debts to Reimburse himself and making him capable to perform the Adm^cōn according to his Bond and Oath. Lib. R.
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Yo^r Peticōner humbly prays yo^r L^{spps}: Consideration of the p^rmisses, and that yo^r L^{spp}: would be graciously pleased to grant to yo^r Pet^r that a speciall Comission of Oyer and Terminer to some p^{ns}ons unconcerned such as to yo^r L^{spp} shall seeme fitt may issue to heare and Determine, the Causes and all other the matters aforesaid

And yo^r Pet^r as in Duty bound shall pray for yo^r L^{spps} &c^a

His L^{spp}: the Lord Prop^{ty} haveing advised with his Councill and duely weighed and considered the prayer of the Peticōners and perused the Statute of the 25th Hen: 8: cap 19: and other Lawe Bookes touching the Jurisdiction of such Courts as is last prayed, doth not conceive that he hath power to grant any such Comiss^o

Decemb^r 20th 1679

Comission for the peace & Comission for tryall of causes then issued for Calvert County to

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