

That whereas your Petition<sup>r</sup> is Agrieved with a sentence of the Commissary Generall of this Province in a difference before him depending between your Petitioner the former Adm<sup>r</sup> of John Abington deceased and George Lingan the present Adm<sup>r</sup> of the said Abington wherein your petition<sup>r</sup> conceives to have great wrong & injustice done him did therefore in due time Enter his Appeal from the said sentence, but in regard of your Ex<sup>ncies</sup> absence could not procure a Commission to a Court of Delegates to Examin the said sentence sooner.

Lib. H. D.  
P. 224

He therefore humbly prays your Ex<sup>ncy</sup> & hono<sup>rs</sup> to Grant a Commission to such persons as in your discretion you shall think proper, to be when & where you will please to Order  
And you Pet<sup>r</sup> as in duty bound shall ever pray &c<sup>a</sup>

Commission for a Court of Delegates Ordered It being Argued & Represented that a Commission of Review will lye if in case the parties should not rest satisfied with the sentence or Judgm<sup>t</sup> of a Court of Delegates; it is therefore thought convenient that ffour of the youngest of his Ma<sup>ts</sup> hono<sup>ble</sup> Councill with three of the justices of the provinciall Court be joyned in Commission; And therevpon Ordered that a Commission issue to constitute a Court of Delegates accordingly hereby nominating & appointing the hono<sup>ble</sup> Coll John Addison, Coll John Courts, Thomas Brook Esq<sup>r</sup> James ffrisby Esq<sup>r</sup> ffour of his Ma<sup>ts</sup> hono<sup>ble</sup> Councill and the hono<sup>ble</sup> Maj<sup>r</sup> John Hamond Cap<sup>t</sup> Richard Hill & Cap<sup>t</sup> Thomas Tasker, three of the Justices of the provinciall Court to be a Court of Delegates as afores<sup>d</sup> who are to meet at the Port of Annapolis Saturday next by two of the Clock in the afternoon, & that Notice be given accordingly, and that Henry Denton be Clerk or Regist<sup>r</sup> of the s<sup>d</sup> Court.

October the 9<sup>th</sup> 1695.

His Excellency acquaints the Board, that vpon a petition here p<sup>r</sup>ferred by James Crauford, praying for a Court of Delegates &c<sup>a</sup> The s<sup>d</sup> Commission was (pursuant to Ord<sup>r</sup>) prepared & brought for his Ex<sup>ncies</sup> signing & passing the Broad Seal; And whereas the hono<sup>ble</sup> James ffrisby Esq<sup>r</sup> being one of the Commission<sup>rs</sup> therein appointed, refusing to take the Oaths, vrging that he had taken the Oaths before, therefore desired to be left out of that Commission; His Excellency demands what is to be done therein; Wherevpon the matter being by the Gentlemen of the Councill fully debated & consulted, they make answer that seeing it appears that M<sup>r</sup> ffrisby has out of scruple of conscience refused to take the Oaths, having taken them before, they are therefore of Opinion that another of the Councill be put into the said Commission in his

p. 225