

thought it necessary to have him in the said House where she lived and under the Care of those who would give him a Suitable Maintainance and Instruction Lib. X.

That accordingly the said Nicholas the Infant hath Lived with the said Philip ever since and hath been provided with every thing necessary and suitable to his Fortune

That Nicholas Sewall Junior being appointed Coexecutor with the said Eliz<sup>a</sup> of the last will and Testament of the said Henry hath Possession of the Reall and Personall Estate now belonging to the said Nicholas the Infant which Consists in Two or three hundred Pounds in personall Estate and of About Eight hundred Acres of Land in Reall Estate and by virtue of such possession insists that he ought to have the Tuition of the said Infant (altho he was never appointed Guardian) or otherwise the said Nicholas Sewall Junior pretends that he is not Obliged to make an Allowance out of the Estate of the said Nicholas for his Education and Maintainance more then six Pounds p Cent out of the personall Estate p Annum a Sum much too Inconsiderable for meat drink Washing Lodging and education and Cloathing p. 206

That the said Philip and Elizabeth at the time of their Inter-marriage released the right of the said Elizabeth to the two thirds of the reall and personall Estates of the said Henry to the said Nicholas Sewall Junior in Trust for the said Nicholas the Infant on Condition to Repossess the same in Case of the Death of the said Nicholas the Infant without Issue but the said Philip and Elizabeth never intended that the Profits of the said Estate so Released should be applied in Any manner to the advantage of the said Nicholas Sewall Junior the Trustee but that they should Contribute to a better provision and Education of the said Nicholas the Infant than that part of the Estate to which he was Intituled by the death of his Father would have permitted neither did the said Philip and Elizabeth by such deed of Release deprive either of themselves of any right of the Care and Guardianship of the said Nicholas the Infant to which they or either might be Entituled by Law or Equity for these Reasons the said Philip Lee thinks it is his duty to represent to your Excellency and Honours that he is Apprehensive that the said Nicholas the Infant is placed under the Government and direction of the said Nicholas Sewall Junior or any other In Communion with the Church of Rome will be Educated and Instructed in the Religion of that Church to prevent which the said Philip Lee Conceives a provision is made by the Act of Assembly For the better administration of Iustice in Testamentary Affairs and hopes that such Order will be made as is Agreeable to the design and Equity of the p. 207