

Bill 23970. tob. of Aug 9 544. tob. w. y^e d. p. no und^r imm. d.
 That thereupon Mr. J^r John Quigly p^rnded Mr. S. D. ry had mad. a written
 Will and th^r in nam^d Elmo. D. ry. Owen Quigly said th^r said J^r Quigly
 Ex^r and th^r upon cited yo^r P. l. b. for th^r said Judge for probat of Will etc.
 Exhibited th^r Lib^r to hav^r th^r Will prov^d, and th^r said P. l. b. b. b. b.
 fitt asid^r, To w^{ch} Lib^r th^r P. l. b. answered, and D. ryed D. ry to b^e Temp^r
 Mⁿth^r when th^r will was mad^r, and sev^rall Witr^s w^r Exam^d, and
 Cross Exam^d, and a f^r Publication to writt 16. August 1678: th^r caus^r came
 to b^e heard b^e for th^r said Judge, who y^e same Day d^eclar^d th^r cas^r of th^r J^r
 D. ry to b^e y^e Cas^r of a man in his Agony b^e of his sin^r by y^e Violence
 of his Dis^ras^r, and th^r said p^rnd^d Written Will Null and void and Quigly
 to pay yo^r P. l. b. b. b. w^{ch} a f^rward w^r l^rup^d at 2524. tob.
 That a f^rward, th^r said Quigly app^ral^d and pray^d a Com^mion to Judge D. l. g^rat
 w^{ch} was by yo^r P. l. b. Govern^r granted to Baker Brook^r, Thomas Fair^r,
 Henry Cour^rey and Benjamin For^rer Esq^s or any three of th^m to h^rare
 th^r said Cas^r, that M^r. Brook^r, M^r. Cour^rey, and M^r. For^rer hearing th^r Cas^r
 th^r 6th of Nov^rmb. 1678: did pronounc^r publish and D^eclar^r th^r th^r said John
 D. ry did not dy^e Justly, but th^r th^r words by him spokⁿ (Viz^t) I giv^e all th^r
 I hav^e to my Sister Elmo. D. ry, my Brother Owen Quigly, and my Cousin J^r
 Quigly, and to make th^m Ex^rulo^r do^r amount to a Nuncupativ^e Will, and y^e
 th^r said D. ry was of a sound disposⁿg mind, at y^e tim^e of th^r speaking th^r of
 and did ord^r Judge and D^eclar^r th^r words so spokⁿ by th^r said D. ry to b^e y^e said
 Will of th^r said D. ry, and y^e said Elmo. D. ry, Owen Quigly, and J^r Quigly
 ar^e th^r Ex^rulo^r of th^r said John D. ry, and th^r yo^r P^rtion^r should pay him 7797:
 of tob^r C^rts as by th^r whol^e proceedⁿgs Remainⁿg upon R^ecord may app^rar^e -
 wh^r upon yo^r P. l. b. apply^d hims^elf to yo^r P. l. b. Govern^r by P^rtion^r that in
 regard th^r said Court of D^el^rgats had not duly proceed^d to Judg^mt. nor had they
 pursu^d their Com^mion by only viewⁿg and r^evisⁿg of th^r cas^r as it stood
 b^e for th^r said Judge, and for what they had by th^r D^eclar^r fitt asid^r th^r said
 Written Will as th^r said Judge had don^e b^e fore, and d^eclar^d a Nuncupativ^e Will
 which was not b^e for th^m on th^r app^rals, nor w^r any Nuncupativ^e Will prov^d or
 kind^d to b^e prov^d b^e for th^r said Judge who is th^r only proper Judge to do: y^e same,
 and th^r Com^mion D^el^rgats had nothing to do: th^r in, and so: yo^r P. l. b. ought not to
 pay costs, yo^r P. l. b. humbly D^eclar^r another Com^mion to such as yo^r P. l. b. should
 app^roint to r^evisⁿg th^r Sentence of th^r said D^el^rgats as is fulfillⁿg such Cas^r,
 and in th^r m^eant tim^e th^r all proceedⁿgs on th^r said D^el^rgats D^eclar^r might b^e
 stay^d. That his Hon^r. th^r Govern^r gav^e no: answer to th^r said P^rtion^r, but would
 consid^r th^r of, And nothing hath bin further Act^d in relation to th^r said Will
 since, But yo^r P. l. b. is daily Jud^d by D^ery^s C^rdit^r and sev^rall Judg^ments
 pass^d ag^t him, And yo^r P. l. b. hath paid and is lyabl^e to pay sev^rall great
 sum^m of tobacco, for satisfⁿtion wh^r of and oth^r C^rdit^r and yo^r P. l. b. b. b.
 D^e b^e and his just expⁿces and Disbur^mt in relation to th^r said Thom^rson th^r hath
 jud^d th^r said Quigly in th^r said two Acc^ts to w^{ch} th^r said John Quigly hath
 plac^d th^r D^eclar^r of th^r said D^el^rgats, and th^r th^r is Ex^rulo^r and yo^r P. l. b.
 Thom^rson is void and Null, And yo^r P. l. b. hath reply^d th^r to and Justified his
 Actions as don^e: as a Lord and th^r caus^r coming on in th^r D^eclar^r th^r 13. of March
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