62

Richard Clagett and Deborah his wife
vs
Caleb Dorsey
John Dorsey

Maryland ss

To the Honorable Thomas Addison Esq.r Daniel Dulany Esq.r Chief Judges and Companys — generall for probat of wills and granting Admitions within the Province of Maryland —

The Libelle and Complaint of Richard Clagett and Deborah his wife One of the Daughters and Legatees of Jn.o of John Dorsey late of Ballemore County Esq.r Dec.d

Humbly Complaining Showeth unto Your Honours that the above-named John Dorsey on the Twenty Sixth Day of November in the Year of Our Lord God Seventeen hundred and fourteen made his last Will and Testament in writing which follows in these words Viz.t In the Name of God &c.a And Amongst Other things is thus Contained Item I give and bequeath unto my Daughter Deborah Clagett One hundred and fifty pounds Sterl.g to be paid by my Executor hereafter Named for her Own proper use for her Support to be paid at Eight pounds p.r Year as he shall see her Occasions serve And by the same Will Nominated and Appointed Caleb Dorsey his Son to be Sole Executor of his last Will & Testament as by the said Will upon Record in this Honorable Court may more fully appear And shortly after the making said Will the said John Dorsey Dyed & the said Caleb in pursuance to the Appointment of said John took upon him the Burthen of the Execution of said Will And your pet.r Libellants are very well Assured that the said John Dorsey Died possessed of a very Valuable personall Estate Over and Above what was sufficient to Discharge the Debts and Legacys But for it is may it please Your Honours that Your Libellant Deborah as Also Your Libellant Richard on behalf of the said Deborah have Severall Times made Demands of said Legacy to be paid as the Deed Directed And have always been willing upon payment of Any part thereof to Enter into Such Bonds as the Law Directs for the Security of the E.t af.d Notwithstanding the said Caleb the Executor not minding to Comply with the Will of the Dec.d John Dorsey Utterly refuses to pay Your Libellants or Either of them any part of the af.d One hundred and fifty pounds Sterling so as af.d bequeathed to her by Father John Dorsey Altho Your Libellant Deborah has-

63

had Occasion for the Same for her Own private use To this End therefore that the said Libellants may be relieved in the premises And that the said Caleb Dorsey E.t as af.d may be Compelled to pay unto Your Libellant Deborah the said Sum of One hundred and fifty pounds Sterling in such Manner as your Honours think Equitable to Direct together with such Interest as shall appear to Your Honours to be legally Due on Same upon Your Libellants Doing what shall seem necessary on their part Reserving to Your Libellants the Liberty of Adding or Diminishing from & Correcting this Libelle as often and when there shall be Occasion

May it please your Honours to grant his Lordships Writt of Citation to be Directed to the Shrff of Anne Arundell County Commanding him to Cite and Summon the said Caleb Dorsey at a Certain Day and Under a Certain pain therein to be limitted to Answer all and Singular the premises And upon his Corporale Oath to make true and perfect Answer to All and Singular the premises And particularly to Declare whether the personall Estate of said John Dorsey was not Sufficient to Discharge his Debts and Legacies And that Your Honours will make such Finall Order and Decree as in the premises as Your Honours shall think Meet

Joshua George pr Libellants

Whereupon the said Richard Clagett and Deborah his wife have his Lordships Writt of Citation to them granted Directed to the Shrff of Anne Arundell County af.d to Cite the said Caleb Dorsey that he be and appear &c. to Answer the Libellants said Libelle returnable the Second Tuesday of August then Next &c.

At which said Second Tuesday of August being the 14th Day of the Same Month Comes the said Richard Clagett & Deborah by Joshua George Your their procurator And the Shrff of Anne Arundell County af.d to whom the said Citation was Directed likewise Comes and makes return thereof to the Court here Endorsed Cited and Summoned

Thomas Larkin Clerk

Whereupon the said Caleb Dorsey appeared by Thomas Larkin Esq.r his procurator appears and this Action is Continued untill Next Court And Day thereof is given to the said parties Libellants and the Libellee also — —