last time was possessed of a good personall Estate amounting to the
Summe of Two hundred & thirty Six pounds three Shillings & six pence
three farthings Curr. money as by the Inventory of the Exec. thereof
appears that the said Robert Robertson by his last will and Testam.
bearing Date the 30th Sept. Anno Dni 1706 did Constitute & appoint
his wife Marg. Robertson to be his Exx. of that his last Will & Testam.
the Execution of w.ch the said Marg. after the decease of the said Robert
took upon her and proved the said Will by virtue of the said last Will
Testam. by w.ch Will amongst other things the said Robert did give
& Bequeath to w.ch the building of Wyp Church of Cayydon 2000 lb
of Tobacco to be p.d out of his Estate & that the said Marg. had in her
hands of the Effects of the dec.d on the 6 of December 1707 the Summe
of One hundred and Twenty pounds four Shillings and Eight pence
three farthings as by her Acc.t exhibited into the prerogative Office
appears and that the said Marg. in her life time did not pay
the aforesd Legacy to the use of the Church as aforesd but soon
after dec.d on the twenty third day of ffebruary Anno Dni 1707
made her last will and Testam. and by the same will did Constitute
& appoint Katherine Jackson & her husband Wm. Jackson to be
Exx. of that her last Will & Testam. and soon after the said
Marg. dyed and the said Katherine & Wm. according to the
Constitution and appointm.t aforesaid took upon them the burthen
of the Execution thereof and had the testy granted them &c
and so it is that by the said last will & Testam. of the dec.d Marg.
among other things she did give unto or for the Church aforesd
the Summe of 2000 or value pounds of Tobac. to be paid out of
her Estate of w.ch came to the hands of the said Katherine & William
Exx. aforesaid the Summe of One hundred fifty Eight pounds Twelve
Shillings and four pence of which there shd remain in the hands
of the said Wm. Jackson the Surviving Exx. of the said Marg. the
Summe of One hundred Twenty four pounds Eighteen Shillings &
Eight pence as by his Acc.t exhibited and pass.d in the progative
Office the 15 day of July Anno Dni 1709 appears now so it is
may it please your Hon.r that the aforesaid Church was carried
on Built and finish.d and that your Libellants the Testy aforesd
have often Demanded the said Legacy of the aforesaid Will.m
Jackson Exx. aforesaid of the a.d Marg. & the said Will.m hath
altogether refused to pay any part or parcell of the aforesaid

Three thousand pounds of Tob.o given by the aforesaid Robert
Robertson according to the will of the aforesaid Robert as being
Exx. to his Exx. or any part of the said 2000 or value pounds of Tob.o
given by the last will & Testam. of the aforesaid Marg. as being
her Exx. but the aforesd Summs does refuse to pay notwithstanding
it appears by his own showing he hath now in his hands of y.e
Effects of the dec.d the Summe of One hundred & twenty four
pounds Eighteen Shillings and Eight pence Curr. money &c
Wherefore your Libellants most humbly pray y.e Hon.r will
Grant that his Lordsp.p Writt of Citacon may issue directed to
the Sheriff William Jackson Exx. of Mary Robertson aforesd that he
be and appear at a certain day before your Hon.r to show Cause
if any he hath why he refuses to pay the Legacy of the
aforesaid William and Margarett according to their Legall
Bequests in the aforesaid Wills made And that your Hon.r
will please to make such decree on the premises as in Equity
and good Conscience shall be thought reason.ble and your
Libellants shall ever pray &c

Tho: Larkin & Libellants

Whereupon the said Libellants had his Lordsp.ps Writt of Citacon
Granted them Directed to the Sheriffe of Queen Anne County
Commanding him to Cite and Summon the said William Jackson &
Katherine his wife that he be and appear &c to Answer unto the
Libellants said Libell in the premises aforesaid returnable to the second
Tuesday in August next

At w.ch said Second Tuesday in August being the 13th Day of the same
Month Anno Dni 1723 being the day of the return of the said Citacon
the Sheriff of Q. Anne County to whom the same was directed
makes return thereof to the Court Viz.t

Summed by me
Matt. Carter Sheriff

But for that the Def.ts doth not appear according to the return af-
it was Ord.d that Attach.t issue against them for the Contempt thereof in
w.ch Issued accordingly returnable to next Court

At w.ch next Court Viz.t the 8th day of October Anno Dni 1723 being
the Day of the return of the said Attach.t the Sheriffe of Queen
Anne County to whom the same was directed makes no
return thereof whereupon the same was ord.d to be renewed
returnable next Court

At w.ch next Court being the 10th Day of December ~~and~~ the Sheriff
making yett no return of the said Attachm.t this Cause is Ord.d by
their Hon.rs to be Discontinued