by his Said Will devised and bequeathed unto his Sons Samuel John and Daughter Mary the residue of his personall Estate after Legacies and his Wife thirds deducted that the Decd's Estate was very Sufficient to pay all Debts charges & Legacies besides leaving a considerable ballance that amongst other Legacies he gave his Son Samuel a Negro called Jonas as by the Same will duly proved and Entered in the Registers of Wills in this Court may more fully appear that thereof the S. Samuel appointed his Wife Eliz. Exec. who dyed that the Eliz. after the Death of S. Testator married one William Fox of Said County that John and Mary Devisees of the Said Testator before they had received any part of their Fathers Estate made their Seperate last Wills and Testaments and dyed leaving their Brother Samuel Sundry Legacies as by the Wills of the S. John & Mary likewise in y Office of this Court may appear That Samuel the Legatee before he recd any part of his Estate or of his Brother & Sisters Legacies from the Said William Fox or his Wife dyed on whose Estate this Libellant Katherine y Widow of y Said Samuel y Younger Admd. But now so it is may it please your Honours that Eliz. the Exec. of Samuel the Elder being Dead the Said Wm Fox refuses all manner of Complyance with any the Legacies or bequests in the Said Samuel the Elders Will alledging he is neither his Exr nor Adm. & refuses to make up any Account of the S. Testators Estate, and on Inspection these Libellants find there was but one Surety for the Said Elizabeth her due Admon & that is dead insolvent wherefore these Libellants humbly pray Your Honours to grant Citation agt the Said William to answer unto all and Singular the premises in a Summary Way & that Your Honours will make Such Sentence or Decree agt him for the relief of Your Libellants and Your Libellants shall pray ~

Wm Bradley for Libellants

Whereupon the Said Thomas Kelling & Katherine his Wife have his

(Lordship's

Lordship's Writ of Citation to them granted directed to the Sheriff of Somerset County commanding him to Cite and Summons the aforesd William Fox that he be and appear &c. to Answer the premises aforesd Returnable to the Second Tuesday of July then next ~

At which Said Second Tuesday of July being the 18th Day of the Same Month Anno Dom 1724 and the Day of the return of the Precept aforesd come again the Said Libellants by their Procurator aforesd But the Sheriff of Somerset County to whom the Same Citation was directed makes no return thereof whereupon it is ordered that the Same be renewed which was renewed accordingly returnable next Court

At which Said next Court to wit the Second Tuesday of September being the 6th Day of the Same Month Anno Dom 1724 come again the Said Libellants by their Procurator aforesd But the Sheriff of Somerset County to whom the aforesd Precept of Citation was directed makes no return thereof whereupon it is ordered that the Same be again renewed which was renewed accordingly Returnable next Court ~

At which Said next Court to wit the Second Tuesday of November being the 10th Day of the Same Month Anno Dom 1724 come again the Said Libellants by their Procurator aforesd But the Sheriff of Somerset County to whom the aforesaid Precept of Citation was directed makes no return thereof whereupon it is ordered that the Same be again renewed which was renewed accordingly Returnable to next Court ~

At which Said next Court to wit the Second Tuesday of January being the 22d Day of the Same Month Anno Dom 1724 come again the Said Libellants by their Procurator aforesd But the Sheriff of Somerset County to whom the aforesaid Precept of Citation was directed makes no return thereof Nevertheless for that there hath formerly been a Citation Served on the Said William Fox and returned It is ordered that Attachment Issue against him for appearance & Contempt as well as to Answer in a Summary way which Issued accordingly returnable next Court ~

At which Said next Court to wit the Second Tuesday of March being the 9th Day

(of the