S. B. 19th July 1745

Ann Hall Admx. of Isaac Stevens
a
Matthew Hemp & Ux.

Somerset
Libel & Answer

Be it Remembered that on the Nineteenth Day of July Anno Domini 1745 the Libellant Ann Hall Admx. of Isaac Stevens Late of Somerset County Deceased Exhibited her Certain Libel and Complaint against Matthew Hemp and Rachel his Wife of Somerset County aforesaid which follows in these Words Viz.

To the Honourable Daniel Dulany Esquire Commissary General and Chief Judge for Probate of Wills and Granting Administrations in the Province of Maryland

The Libel and Complaint of Ann Hall Late widow and Administratrix of Isaac Stevens Late of Somerset County deceased Humbly Complaining Sheweth unto your Honour that a certain Richard Stevens Late of said County was in his Life Time and at the Time of his death which happened in the month of October or November Seventeen hundred and Thirteen Possessed of a very Large Personal Estate more than sufficient to Pay and Satisfy all his Just Debts and funeral Charges with a great Overplus and some Little time before his death made his Testament and Last Will in Writing and therefore appointed his Wife Abigail Stevens Executrix who after her said Testators death to wit on or about the Third Day of November Seventeen hundred and thirteen Proved the same and took upon herself the Burthen of the Execution thereof and by his said Will the said Testator amongst Other things devised in the following words that is to say) "I give and Bequeath unto my Dear wife Abigail Stephens three Negroes during the time of her Widowhood named Jack Jeffer and Bess and after the Decease of my Dear wife or the Time of her Widowhood then my Will is that the aforesaid three Negroes with their Increase if there be any be equally Divided betwixt my three Sons namely John Stevens and Richard Stevens and Jacob Stephens and their heirs" as by the said Will and Probate thereof now remaining among the Records of this Honourable Court relation being thereunto had may more fully and at large Appear. By which Devise your Libellant Humbly Conceives the said Abigail Stevens had only an Estate during her widowhood in the aforesaid three Negroes and their Increase and that on her death or Marriage they according to the aforesaid Devise Became the right Property and Estate of the said Testators aforementioned Sons to Be divided among them equally in value and your Libellant further Shewsunto your Honour that the aforesaid Abigail Stevens in Pursuance of the said Devise and in Execution of the said Will returned an Inventory and Papers Accounts and finished and Completed the Administration of the said Estate as by the said Inventory and Accounts now Remaining in the Office of this Court relation being thereunto had may appear and kept and retained to her own use the aforesaid Negroes during her Life within which time the aforesaid Negro Bess was delivered of a Child named Moll and the aforesaid Abigail some time afterwards dying Intestate and a Brother the aforesaid Richard Stephens took out Letters of Administration to the aforesaid Abigail and among the Other Estate and Effects of the said Abigail caused the said Negroes Jack Jeffer Bess and Moll to be Inventoried and appraised as of the said of the said Abigail and your Libellant further Shews unto your Honour that soon after the death of the said Abigail Stevens your Libellant

said Late husband Isaac Stevens died Intestate upon whose death your Libellant took out Letters of Administration to him as by the said Letters now in your Libellants Possession may appear and by Virtue whereof she as Administratrix became entitled to the Possession and management of his whole Estate and as such to a full Equal Proportion value of the aforesaid four Negroes and soon after whose death the said Richard Stevens delivered to John Stevens the Negro named Bess retained to himself the aforesaid Negroes named Jeffer and Moll and Paid and delivered to your Libellant as Administratrix to her said Husband Isaac Stevens the aforesaid Negro man named Jack being very aged and of the value of about Eighteen pounds Gold Currency only being appraised to about that sum which your Libellant doth Charge is Short of the value at which the Other two Negroes Jeffer and Bess were each appraised by Sixteen or Seventeen Pounds like Gold Currency, and your Libellant further Sheweth unto Your Honour and doth Charge that the Price and value at which the aforesaid Negro Moll was as aforesaid appraised as of the Estate of the said Abigail was but to the value of about Sixteen or Seventeen pounds Gold Currency aforesaid and which is not more than sufficient to make up the difference in value between the aforesaid Negro Jack and either the aforesaid Jeffer or Bess as by the Inventories and Appraisements thereof now remaining in this Honourable Court may appear and your Libellant further sheweth unto Your Honour that the aforesaid Richard having finished and Completed the Administration of the said Abigails Estate departed this Life Intestate leaving Behind him Rachel his Widow and Relict who after her said Husbands decease obtained Letters of Administration to him and under pretence thereof hath taken Possession not only of the whole Personal Estate of her said deceased Husband but hath also taken Possession of and doth Claim the aforesaid Negro Moll and her three Children now living (which three Children your Libellant doth Expressly Charge the aforesaid Negro Moll hath had since her having been in the Possession of the aforesaid Richard Stevens and his said Administratrix) And your Libellant further sheweth unto Your Honour that your Libellant after the Administration so as aforesaid to her Granted Intermarried with a certain Phenix Hall who after Living with your Libellant some time Run away and hath not been heard of by your Libellant or any Other Person to her knowledge for the space of Seven years Past and that the aforesaid Rachel the widow of the aforesaid Richard Stevens after the Administration so as aforesaid to her Committed and after her taking Possession as aforesaid of the aforesaid Negro Moll and her said Children Intermarried with a certain Matthew Hemp of Somerset County Planter in whose Possession the said last mentioned Negroes now are and your Libellant further Sheweth unto Your Honour that your Libellant hath at divers and Sundry times by herself and others for her demanded of the aforesaid Richard Stevens in his Life time and of his said Widow after his decease and of the said Matthew Hemp and Rachel his wife since their Intermarriage the aforesaid Negro Moll and her said Increase to be delivered to your Libellant and at the same Times hath Offered to them respectively good Security against any Latent Debts which might appear against the Estate of the said Richard Stevens Senior All which your said Libellant is Still ready to Comply with But they have Severally refused to Comply with your Libellants request and the said Matthew Hemp and Rachel his wife still do refuse and to retain and keep the said Negro Moll and her Increase from your Libellant Contrary to Equity and Good Conscience Wherefore and forasmuch as your Libellant is Remediless relievable in this Honourable Court your Libellant Humbly Prays that the said Matthew Hemp and Rachel his wife may true and Perfect Answer make to all and Singular the Premises as fully and Effectually as if the same were here again repeated and Interrogated and that they may Be Compelled to deliver up to your Libellant