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Your Oratrix further states that the executors of the said Thomas Harris did devide the property and valued the same by virtue of the said will, as by the valuation here exhibited marked A will more fully appear. your Oratrix also states that the property taken by her son Thomas was subject yearly and every year during her life to the payment of twenty five dollars to commence whenever a division of the estate takes place, which said sum of twenty five dollars was devised to her as an equivalent of her right to the real estate of her said husband the testator. Your Oratrix further states, that she is informed and believes that John M'Kaleb of Taneytown in the county of Frederick, purchased from her son Thomas Harris the land devised to him by his father the said Thomas Harris senior, and that the said Thomas Harris (the devisee as aforesaid has conveyed the said land to the said John M'Kaleb. Your Oratrix also states that she is entitled to the sum of twenty five dollars as a lien upon the said land, and that no part of the sum has been paid to her by her son or the said John M'Kaleb since his purchase - But that the said Thomas as John M'Kaleb tho' called upon, frequently to account to her for the yearly sum so devised, have always refused settling any account with her - In tender consideration whereof and for that your Oratrix is utterly remediless in the premises in the ordinary course of Equity - To the end therefore that the said Thomas Harris and John M'Kaleb may upon their corporal oaths, full and perfect answers make to the matters and things stated herein and that your Oratrix may have such relief in the premises as shall be consistent with Equity - May it please your Honor to grant to your Oratrix a writ of Subpoena commanding the said Thomas Harris and John M'Kaleb in the usual form to appear in this Court, and then and there answer the premises and abide by the order of the Court therein, and that your Oratrix may have all proper relief.

W Ross Sol.r for Oratrix

Whereupon in pursuance of the aforegoing Bill of complaint the following subpoena issued in the words and of the form following (viz)

Maryland Sct. The State of Maryland To Thomas Harris and John M'Kaleb of
(Seal) Frederick county (greeting). You are hereby commanded that all excuses set aside, you personally appear before the Judges of Frederick county Court sitting as a Court of Chancery, to be held at the Court House in Frederick Town in and for said county on the fourth Monday of October next, to answer the bill and complaint of Margaret Harris, against you in our said Court exhibited and so forth. Hereof fail not, as you will answer the contrary at your peril. Witness the Honorable John Buchanan Esquire Chief Judge of our said Court, the 22d day of February 1830.

Issued the 12th day of July 1830 (W Ross. John Ashley Clerk.

At which said fourth Monday of October in the year of our Lord one thousand eight hundred and thirty, and the day of the return of the foregoing subpoena, comes into the Court here the Sheriff of Frederick county aforesaid (viz) John Regney, to whom the said aforegoing subpoena was in form aforesaid directed, makes return thereof to the Court here thus endorsed (viz) "Sem.r John Regney Sheriff".



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Exhibit A. referred to in the aforegoing bill of complaint contained in the following words (viz):

In the name of God Amen, I Thomas Harris of Frederick county and State of Maryland, being weak in body, but of sound and disposing mind, memory and understanding, considering the certainty of death, and the uncertainty of the time thereof, do therefore make and publish this my last will and testament, in manner and form following (that is to say) - First, my desire is that all my property both personal and real should be held by my wife and children as stock in common, until my youngest son becomes of age, except the farm I purchased from John Jamison, and all the profits that she may be able to make therefrom to be applied to the payment of my debts and legacys hereinafter named, unless my executors, advised thereto & advised to make a division sooner, to whom I give full power and authority to do as they think proper as to the time of making the division of the property, and their decision to be as binding as if I myself where present. I give to my daughter Sophia one hundred dollars to be paid her one year after my death, and to my daughter Ruth Salmon one hundred dollars to be paid her two years after my death, and to my daughter Caroline five hundred dollars to be paid her three years after my death, and to my granddaughter Matilda Harris five hundred dollars, to be paid her four years after my death, and to my daughter Catherine five hundred dollars to be paid her five years after my death, and to my daughter Susanna five hundred dollars to be paid her six years after my death, and to my daughter Margaret five hundred dollars to be paid her seven years after my death. I give and devise to my daughter Sarah Jamison her heirs and assigns the farm I purchased from John Jamison, to be rented out till all the debts and paid that John Jamison owed before, before the date of my deed from him, then said farm to be for the benefit of my daughter and her children, and not subject to the debts or contracts that John Jamison may make - I give and devise to my son Thomas his heirs and assigns, the farm I purchased from Samuel M'Farren, subject to be valued by my executors as hereinafter directed, except the buildings thereon which is not to be valued - I give and devise to my son John his heirs and assigns the farm my father gave me, and the land I purchased from Norman Bruce, subject to be valued by my executors hereinafter named, except the buildings thereon which is not to be valued. I give and devise to my son George Coale, his heirs and assigns, the farm I purchased from Jacob Smith subject to the valuation of my executors, except the buildings thereon which is not to be valued. I give and devised to my son Washington his heirs and assigns the farm I purchased from Joseph Hays subject to the valuation of my executors, except the buildings thereon which is not to be valued - and as I have directed that all my property should be held in common, till my youngest son comes of age, unless my executors should think it advisable to devide sooner - I therefore order and direct that whenever devision takes place, that my executors pay or cause to be paid to my wife, one third of the value of all my personal estate, that may be on hand at the time the division takes place, and the balance equally devided between my four sons, and that each of my sons pay to my wife yearly and every year