of an estate estimated to be worth hundred thousand dollars, and further that being apprised of this when he was at liberty to express his own wishes and intentions instead of making them the heirs of his whole fortune and avowing in his will that they were his children by a mulatto woman, he designed to make and but for the fatal and unbounded influence acquired over him, and which deprived him of the power of making a will which contained his will and wishes, he in all probability would have made a reasonable and for persons in their situation an adequate provision within the limits of Maryland, placing them at a distance from his connections, and from those who knew the conduct of their mother. That as to the devise in the event spoken of in the said instrument to George Calvert Esquire, this especially in connection with other parts of the will, furnishes proof not to be resisted that in this paper we have not what may be called will or wishes of the deceased, the said Calvert being unconnected with the deceased having no claim upon him, and instead of being his confidential friend, not being in habits of intimacy with him, and as your petitioners believe that they will be able to prove being under the displeasure of the deceased produced by some money transactions. Your petitioners therefore insist that the said paper herein offered for probate in this court, is not the last will and testament of the deceased Thomas Crumplin and that said Crumplin died intestate. They ask leave to prove the same, object to the said paper being admitted to probate, and pray the court to direct the issues which accompany this petition to be sent for trial to the County Court of Montgomery County.

Zadock Magruder &c
Richard I Bowie } for Petitioners

Whereupon the court further postpone the said proceedings until the eleventh day of March one thousand eight hundred and thirty one.

At which said eleventh day of March one thousand eight hundred and thirty one came again into court here as well the said George Calvert by Ben. I Jones and J. S. Key his attornies, as the said Thomas Davis and Elizabeth his wife by Zadock Magruder and Richard I Bowie their attornies, and the said George Calvert by his said attornies file in court here his answer to the libel aforesaid in form following, to wit:

The answer of George Calvert Executor of Thomas Crumplin deceased to the libel & petition filed against him by Thomas Davis and Elizabeth his wife in the Orphans Court of Montgomery County, Maryland. This Respondent answering saith and avers, that the paper purporting to be the last will and testament and codicils to the last will and testament of the late Thomas Crumplin, filed by this respondent for probate in the office of the Register of Wills for Montgomery County, Maryland, are the genuine and authentic last will and testament and codicils to the last will and testament of the said Thomas Crumplin.

That the said Crumplin at the several times of making and executing the same was of sound and disposing mind, memory and understanding, and perfectly competent to make a last will and testament. This respondent denies positively, that fraud or misrepresentations of any kind were practised by him or any other person with his privity or at his instance, or as far as he knows or believes by any other of the devisees named in the said will or codicils, or by any other person with their privity or at their instance to obtain and procure the making and execution of said will and codicils, as is falsely charged in said Libel, on the contrary this respondent avers and is ready to maintain and prove, that the said will and codicils were fairly made and executed by the testator, and that the fraud, misrepresentations, artifices, undue influence and wicked suggestions suppposed by the petitioners to have been executed or practised upon the testator, never had any existence save in the suspicions or fancy of the petitioners themselves. This respondent denies that any undue influence was possessed or exerted by him over the testator, or any prejudices artfully excited by him in the mind of the testator against his connections and relatives, either before or after the testators connection with the woman Caroline, and his having children by her, nor does he know or believe, that any such undue influence or prejudices were possessed, exerted or artfully excited by the said Caroline or any other of the devisees in the said will and codicils, or by any other person. The alienation and estrangement of the testator from his relatives and their society, stated by the libellants to have occurred after his connection with the woman Caroline, and having children by her, was not owing as respondent believes to any arts, influence or misrepresentations, but to the course pursued towards him by his relations, who could not expect to retain his affections and esteem when they chose to manifest their displeasure or disapprobation of his conduct by withdrawing from his society. Under such circumstances it would seem strange to be expected, that the testator should forego the ties of natural affection and the claims of his own acknowledged offspring, and make those the objects of his bounty, who had thus forsaken his society. The children of the said Caroline named in the testators will were always acknowledged by him and avowed to be his children, and treated by him during his whole life as such and though the libellants say they have reason to believe that they shall be able to prove that they were not his children, this respondent presumes the testator had quite as good reason to believe that they were, and this respondent has reason to believe that the libellants will not be able to prove that they were not his children, of any deception or falsehood alleged to have been practised upon the testator in this respect. This respondent is entirely ignorant

This respondent has been astonished at the unfounded and gratuitous charge made by the libellants that he the respondent had seduced the testator into a criminal connection with the woman Caroline. He opposes to the charge his unqualified and positive denial.