1738 No 28

Maryland ss.

At a Prerogative Court held at the City of Annapolis in Annarundel County for the Province aforesaid on the second Tuesday of March being the thirteenth day of the same month Anno Domini 1738 ----

Present.

The Honable Daniel Dulany Esqr Commy General ----

Who Orders the Docquett of Causes to be called over and proceeds thereon as follows Viz^t

W.C. 25th May 1737 E.J. --

Roger Poole for himself and on Behalf of his two Brethren Samuel & Robert Poole
vs
William Poole Admr of Saml & Robt Poole

Annarundel
Libell & Answer

Be it Remembred that on the twenty fifth day of May Anno Domini 1737 The Libellants Roger Poole for himself and on Behalf of his two Brethren Samuel Poole and Robert Poole of Salem in the Province of the Massachusetts Bay in New England Exhibited their certain Libell and Complaint against William Poole Administrator of Samuel Poole and Robert Poole late of Annarundel County in the Province of Maryland Deceased -- Which follows in Those Words Viz^t

Vt

To the Honable Daniel Dulany Esqr Commy General & Chief Judge for Probate of Wills & Granting Administrations within the Province of Maryland —

The Libell and Complaint of Roger Poole of Salem in the Province of Massachusetts Bay in New England Shipwright Eldest Son & on Behalf of Robert and Samuel Poole his two Brethren Sons and Legal Representatives of Roger Poole of Salem in the Province aforesaid Mariner Deceased Which said Roger Poole Deceased was one of the Brethren of Samuel Poole and Robert Poole of the Province of Maryland aforesaid Deceased

Humbly sheweth unto your Honour that the said Samuel Poole some time in the month of May Anno Domini Seventeen hundred and thirty three Dyed Intestate without Wife or Children having three Brethren alive to Wit William Poole the Respondent hereafter mentioned John & Robert Poole And your Libellant the aforesaid Roger Poole & his two Brethren aforesaid Children of the aforesaid Roger Poole Deceased That the aforesaid Roger Poole Your Libellants Father in about the Year of our Lord one thousand seven hundred & twenty three at Salem in New England aforesaid Dyed Intestate before his Brother the aforesaid Samuel Poole leaving behind him Your Libellant and his two Brethren aforesaid he is aforesaid That your Libellant Concurrs in Behalf of himself & his Brethren aforesaid he is entitled to an equal & Distributive Share of the said Samuel Poole his Personal Estate with the rest of the then Surviving Brethren ---

That the aforesaid William Poole took out Letters of Administration of the said Samuel Poole his Personal Estate Entered into Bond for the well & truly Administering the same according to Law And your Libellant is informed Returned Inventory or Inventories with Lists of Sperate & Desperate Debts and past Accounts or Accounts of his Administration of the Deceased Estate aforesaid in the Commissary Court aforesaid But before any Inventory was returned there of the aforesaid Robert Poole Sometime in the month of September 1733 Dyed also Intestate without Wife or Children & Possessed of a personal Estate Whereby the said William Poole the now Respondent & the said John Poole the other Surviving Brother of the aforesaid Robert Poole and your Libellant on Behalf of himself and his Brethren aforesaid (as he concurs) became intitled to a Distributive Part of the Personal Estate of the said Robert Poole whereof he dyed Possessed of And that the said Respondent William Poole likewise took out Letters of Administration to the said Robert and entered into Bond for the due Administration thereof ---

That your Libellant on Behalf of himself and his Brethren aforesaid Legal Representatives of the said Roger Poole Deceased being entitled to one fourth Part of the said Samuel Poole his personal Estate & in right as aforesaid being entitled to one third Part of another fourth Part of the said Samuel Poole's Personal Estate as Children of the said Roger Poole & Representatives of the said Robert Poole Deceased to