

late, and that a considerable amount of the legacy of £2250 also remained unpaid. This seems to have been the condition of things when David Harris, the second husband of Francis H. Moale, died, in November, 1809, and having by his will appointed Joseph Sterrett and Molly Sterrett his executors, they, and the said Frances H., on the 23d of April, 1811, entered into an agreement for the purpose of settling the several points of disagreement between them.

This agreement recites, that the said Frances had renounced the will of her husband, the said David Harris, and elected to take her dower in his real, and her third of his personal estate. That she claimed in her own right that portion of the legacy of £2250, which remained unpaid, with interest, and the arrearages of the £500 annuity, with interest, and also the growing annuity. And that the executors of the said David, also claimed the same in virtue of his will. The agreement then provides that for the purpose of settling and adjusting the claims of the respective parties, and to avoid litigation, that the executors shall pay and deliver to the said Frances, certain sums of money and property bequeathed to her by the said David Harris; that the said Frances, her executor, &c., shall have and receive one-third of whatever might be thereafter received by the said executors, of the legacy of £2250, and one-third part of whatever might be recovered of the arrears of the said annuity of £500, which were due at the death of the said David Harris. In consideration thereof, the said Frances agreed to release to the said Joseph and Molly Sterrett, her dower in the real and personal estate of her said husband, David Harris, and also her right, title and claim to the said legacy of £2250, except such part thereof as is reserved to her by these presents, and also her right, title and claim to the said annuity of £500, and the arrears thereof, except only the part which is reserved to her by these presents. The agreement then provides that the claim for the balance of the said legacy, and for the arrears of the annuity due from the representatives of Richard Moale or John Moale, shall be under the exclusive control and management of the said Joseph and Molly Sterrett, who shall have