

Judicial Circuit of the State of Maryland

The Petition of John W. Dudderan of Frederick County State of Maryland an infant under the age of twenty one years by Joshua Biggs and William C. Landers his next friends respectfully states that William Dudderan late of Frederick County deceased by his last will dated on the 31st day of January in the year 1836 directed that the personal estate and his farm necessary for its Cultivation should be retained by his executor & used in the Cultivation of the farm until his son your Petitioner should attain the age of 21 years, and that the nett proceeds of the farm should be divided between his son David M. Dudderan and your Petitioner and that the share of the Petitioner should be invested in the Frederick Town Savings Institution until the said Petitioner should attain the age of 21 year, and the said testator further directed that all his notes and other choses in action should be collected and the grain or other produce on hand at his death should be sold & deposited in the Frederick Town Savings Institution until the said John W. Dudderan should attain the age of 21 years - or should be invested under the direction of the Orphans Court upon proper & real security - and that the whole of his estate except the profits of the farm should be equally divided between his son David and John W. Dudderan when the said John W. Dudderan should obtain the age of twenty one years and that said testator appointed his son David M. Dudderan executor of his said will, all of which will fully appear by reference to a Certified Copy of said last will herewith exhibited marked Exhibit A. which your Petitioner pray may be taken as a part of this his petition. Your Petitioner further states that said testator died in the month of February in the year 1856 without making said will, and that letters testamentary were granted by the Orphans Court of Frederick County to David M. Dudderan the Executor thereof as will appear by letters of Verification herewith exhibited marked Exhibit B. Your Petitioner further states that the said David M. Dudderan infused upon the duties of his said office as executor and died in the month of February in the year 1857, without completing the trusts imposed in him by the will of the said testator. Your Petitioner further states that letters of administration de bonis non with the will annexed of said William Dudderan deceased were granted by the Orphans Court for Frederick County to Joshua Biggs and William C. Landers who have entered upon the duties of their said office as will appear by a Certified Copy of such letters of administration herewith exhibited marked Exhibit C. Your Petitioner states that as none of the devisees and legatees under said will and as sole heir at law of David M. Dudderan he is now entitled to the whole of the real and personal estate of his father the said testator and that by the death of the said David M. Dudderan their Executor the trusts of said will cannot be executed without the order of this Court, substituting a new Executor in their stead considering whereof you pray as much as your Petitioner is entitled in the premises by the strict rules of Common Law and