

it, and my dear *Eleanor Lee* receives an equal share of all the lands and personals belonging to their grandfather, grandmother, fathers and brothers, the legacy I have left in my will to remain good.' After which, on the 31st of January, 1797, the testatrix added the following words to the codicil, 'My granddaughter *Eleanor Lee* is now married to *William Dawson*, Esq. I hereby confirm the above codicil in favour of *Eleanor Lee*, now *Dawson*.'

After the death of the testatrix *Ann Russell*, her executors paid this legacy, given to *Margaret Russell Clerk* and her children, to the trustees *William Dawson* and *Robert Clerk*, by whom it was invested in the public stocks of Great Britain, in the name of *Dawson* and *Clerk*, for the purposes of the trust. After which *Robert Clerk* died, and *Dawson* became the sole surviving trustee. Some time in the year 1816, *Dawson* removed to the United States, and became a resident of Maryland. After which *Margaret Russell Clerk*, whose surname, with that of her husband and children, had been changed, by an act of the general assembly of Maryland, to *Clerklee*, (*f*) became very anxious to have the legacy given to her and her children transferred from the British funds to this country, and invested in some stock here; where, as she believed, it would be equally safe, and much more productive and convenient. Under that impression, she wrote a letter, without date, marked as the defendant's exhibit G, to *William Dawson*, which letter it may be inferred from one written by her which bears date on the 15th of September, 1817, and from another written by *William Dawson* to *James Clerklee*, on the 9th of July, 1818, was written some time about the close of the year 1817. In this letter, without date, after explaining her motives for having the legacy transferred to and invested in this country, she says, 'I therefore, with my daughters *Ann*, who is of age, *Eleanor*, *Caroline*, and *Elizabeth*, who are of an age capable of judging what is for their advantage, all having an interest in this legacy, unite, by their signatures, in this my request, as does Mr. *Clerklee*, in behalf of our two youngest children; and we therefore sincerely hope you will no longer delay complying with our request.'

What were the exact ages of *Eleanor*, *Caroline* and *Elizabeth* when they signed this letter does not appear; but it is stated in the bill, and admitted by the answer of *Elizabeth*, that she was, on the 15th of November, 1824, when the bill was filed, then a