shall refuse to accept of the said trust or shall die before the execution thereof then and in either of such cases. I do hereby direct that the said Estate Interest, trust and power shall vest in and be exercised by my son in Law James Winchester and I do hereby devise and direct that, as well the money which may be due at the time of my death for lands sold by me as also the money which may arise from the sale of the lands hereby directed to be sold shall be distributed equally among my said eight Children namely Ruth, Eleanor, Sarah, Deborah, Frances, Mary Ann and Bale and their heirs. Item I do hereby order and direct that whatever stock of wheat or other grain shall be on hand in my Mills or ware house for the purpose of manufacturing the same shall be manufactured and sold by my son William Owings and accounted for with my other personal estate, and whereas I have large sums due to me for lands sold and other causes and it is my wish that my Executor shall not be obliged to proceed in the collection of the said debts within the time required by law, I do therefore give him full power and authority to delay bringing suits for such debts for such time as in his discretion he may think consistent with Justice to my Children and a reasonable indulgence to such of the said Debtors whose circumstances may require the same. Item I do hereby appoint and directed that my said son William shall have the guardianship and Tuition of my son Bale during his minority. Lastly I do hereby constitute and appoint my son William Owings Executor and Trustee of this my last will and testament revoking and annulling all former wills by me heretofore made and ratifying and confirming this and none other to be my last will and testament. In Witness whereof I the said Samuel Owings the Testator have hereunto set my hand and affixed my seal this seventh day of May in the year of our Lord one thousand eight hundred and three

Signed, sealed, published and declared by Samuel Owings the above named Testator as and for his last will and testament in the presence of us who at his request and in his presence and in the presence of each other have subscribed our names as witnesses hereto

John Coleman, John Shaw, Isaac Thomas

Samuel Owings (Seal)

Baltimore County, towit, on the 25th day of June 1813 came John Coleman and Isaac Thomas subscribing Evidences to the aforegoing last will and Testament of Samuel Owings late of said County deceased and made oath that they did see the Testator sign and seal this will that they heard him publick pronounce and declare the same to be his last will and Testament that at the time of his so doing he was to the best of their apprehension of sound disposing mind memory and understanding that they subscribed their names as witnesses to this will in his presence at his request in the presence of each other and of the other subscribing witness who subscribed his name in their presence and in the presence of the Testator. Sworn before me Register of Wills for Baltimore County

Wm Buchanan

In Testimony that the aforegoing is a true Copy taken from the Records of the Register of Wills Office for Baltimore County Liber W.B. No. 9. folio 197 &c

(Seal Regr. Wills office) I have hereunto set my hand and affixed the seal of my office this eighth day of December 1813.

Wm Buchanan Reg. Wills. Balo

And also gave in evidence that the said William Owings the Lessor of the plaintiff in the Devisee William Owings mentioned in said last will & Testament and also gave in evidence to the Jury that the plaintiff's location of said two tracts of land called every thing needful and every thing needful corrected according to the plaintiffs table of courses No. 1 and 2 is the true and correct location of said two tracts of land. The Defendants to support the issue on their part then gave in evidence to the Jury the patent of the tract of Land called New Market granted to Richard Richards which patent is in the words and figures following, towit.

Maryland ss. Frederick absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &c. To all persons to whom these presents shall come greeting in our Lord God everlasting. Since ye that for and in consideration that Richard Richards of Baltimore County in our said Province of Maryland hath due unto him sixty seven acres of land within our said Province by virtue of so much part of a warrant for one hundred acres granted him by renewment the eleventh day of September seventeen hundred and sixty four as appears in our Land office and upon such conditions and terms as are expressed in our conditions of plantation of our said Province bearing date the fifth