The Plaintiff then produced in Evidence to the Jury the Last Will and Testament of the said David Ross as follows To Wit. I of David Ross of Bladensburgh in Prince Georges County Maryland Surgeon now at the Frederick Forge in Washington County do make this my last Will and Testament hereby revoking all former Wills particularly one made some time ago in this said County now in possession of my wife Arianna at Bladensburgh as I think proper to make some alterations first I give and bequeath unto my wife Arianna Ross during her widowhood all my lots in Bladensburgh except one heretofore given to my Son in Law John Stewart also the Land I bought of Benedict Calvert excepting a piece for the said John Stewart also all the Land I bought of Clement Beale and the tract of land called Taylors Parch with the buildings and appurtenances to the said Lots and Lands thereto belonging but without power of committing waste and that no timber shall be cut down but for securing and fencing in the said Lands and that no cord wood shall be sold to any person whatever and that none shall be cut but for my wifes and Doctor Stewarts families and also fifty pounds common currency to improve one of the Lots in case it be not done before my death also all the provisions of all kinds salt provisions what part of the stock she may chose with the consent of my Sons who may be of age and all the utensils except those in the Smiths shop tools cloathing furniture plate wool flax hemp thread yarn linnen and cloth and every thing she may think necessary & convenient for housekeeping and cloathing that shall be on the said Lots and land

at my decease which I think will be sufficient for raising and educating my younger children I also give to my said wife and her heirs and assigns for ever one negro woman named Fanny and all her children except Sam the Son of Fanny who is to be changed with the said John Stewart for a negro boy named Hamlet also a negro woman named Hannah and all her children and another negro Woman named Sophia and all her children with the increase of the said Woman and children also the following negro men viz. Adam Davey Jem the Smith Orford and Sampson Secondly Whereas I became a partner in the practice of Physick with my Son in Law the said John Stewart and afterwards assigned to him my interest in the said Partnership I now confirm the said assignment and leave the whole of that business and the profits thereof to him as if he had from the beginning carried on the same for his sole use and behoof And whereas in a former will he had his election either to take one hundred pounds or the following Lot or piece of land and he now chooses to have the Lot and land I therefore give and bequeath to the said John Stewart and his heirs my Lot in Bladensburgh joining William Diggs stone house which Lot I had in exchange for that piece of my land now in Daniel Stephenes Inclosure In the said Town wherein I reserved for the use of the Town the springs of water in the said piece so exchanged with full ingress or egress to the Inhabitants of said Town and also that part of the land which I bought of Benedict Calvert bounded as follows viz. Beginning at the said Lot nearest to the first cross ditch by the said Lot in my back meadow and runing to the mouth of the said cross ditch where it joins the other then with the ditch it joins and running across the main ditch to the back of Ledantrees then continuing in the same direction to the main road