conveyed to them your Orator & Oratrix the said farm so agreed to be conveyed to them by said Testator and to have properly stocked the same and have furnished your orators with an adequate support for one year after their marriage agreably to their Contract with the Testator but they have all refused so to do. all of which sayings and doings are Contrary to Equity and good Conscience and are to the manifest wrong and injury of Complainants. To the end therefore that they may have redress in the premises and that by a Decree of this Court all the hereinafter named defendants may be required to Convey to your orator the farm in Baltimore County purchased by Testator of Benjamin Moore after the marriage of said Complainants. and that said Freeborn G Waters the Executor of said testator may be directed to pay all the debts of said Charles which he owed at the time of his marriage and also pay him an adequate sum for the support of himself and family for one year after his marriage and to pay an adequate sum properly to stock said Farm with servants horses Cattle and farming implements and furniture and that they may have such further relief as their case may require May it please your Honors to direct writs of subpoena to issue to be directed to Charles Howard and Elizabeth A Howard his wife to Charles White and Rebecca A White his wife, to Prudence Rebecca Howard and Stevenson White infants, and to Freeborn G Waters Commanding them to be and appear in this Court to answer the premises and to stand to and abide by the Decree in the premises and they will pray.

J Glenn pro que

Exhibit No 1.

Charles Waters last Will and Testament.

In the name of God Amen. I Charles Waters of the City of Baltimore late of Anne Arundel County and State of Maryland being of sound and disposing mind memory and understanding and being desirous of disposing of all my estate do make and publish this my last Will and Testament, and do hereby revoke all other Wills and Testaments which I may have heretofore made.

After the payment of all my just debts and funeral expenses by my executor hereinafter named, I do First, give devise and bequeath to my dear wife Rebecca Waters, her heirs executors and administrators forever the Lot of ground with the improvements which I purchased from William Wallace, and in which I now reside in Lexington Street in the City of Baltimore, together with all the furniture and plate which may be therein at the time of my death, and such four of my servants slaves for a term of years as she may within six months after my decease by writing under hand, name and select, and I do hereby direct Executor to deliver said servants to her

Secondly, I do hereby bequeath to the Annual Conference of the Maryland District of the Methodist Protestant Church for the use and benefit of the superannuated ministers of the said Conference the sum of one thousand dollars, and I do hereby direct my Executor to pay the sum so bequeathed to the Officers of the said Conference entitled lawfully to receive the same, at such time after the expiration of twelve months from my decease as may be convenient to my Estate.

Thirdly, I do hereby bequeath and direct to be paid to my negro

man Basil Johnson one hundred dollars, to Levy one hundred dollars, to Andrew one hundred dollars, to Rachel Fifty dollars, to Jacob and fifty dollars, to Rachel and Fifty dollars to Charlotte at such time after my decease as my Executor shall see fit to pay the same

Fourthly, I do hereby give devise and bequeath to my friend and relative Freeborn G Waters of the City of Baltimore, his heirs Executors and administrators all the residue of my Estate of every kind and description real personal and mixed to be held by him the said Freeborn G Waters his heirs Executors and administrators to the uses upon the trusts, and for the intents and purposes and Under and subject to the powers provisos limitations Conditions and declarations hereinafter expressed limited and declared of and concerning the same that is to say First he shall pay out of the rents issues and profits of my Estate to my dear wife Rebecca Waters annually during her life, the sum of twelve hundred dollars in quarterly payments to be Computed from the day after my decease for her Comfortable support and maintenance

Charles Waters

Secondly he shall pay out of the rents and profits of my Estate, in quarterly instalments to be Computed from the day after my decease to my son Horatio H Waters during his life, the yearly sum of one thousand dollars for his support and maintenance But it is my will and desire and the devise in trust is made upon the express Condition that if any of the Creditors of my said son Horatio H Waters or any person to whom he may become indebted hereafter shall seek to make this annual provision for his support liable in the hands of my said trustee for any of his debts, Contracts or engagements, and if by the decision of any tribunal, the said annual provision or any part thereof, shall be adjudged liable for such debts Contracts or engagements, then this bequest or provision shall thence forward utterly Cease and determine and my estate and the said trustee shall be discharged from all claim to pay the same and thence forward it is my will and desire that my said Trustee, shall from time to time, and only at such times as he may think proper to pay to my said son Horatio H. Waters the whole or such part of the aforesaid annual sum for his Comfortable and respectable maintenance and support as he may adjudge proper and provided nevertheless and this devise is upon Condition that if my said son Horatio H Waters shall make Claim to any portion of my Estate other than is herein given to him, this devise shall thence forward Cease and be utterly void

Thirdly in trust as to all the residue of my Estate real personal and mixed that the said Freeborn G Waters his heirs, Executors and administrators, shall hold the income, interest, rents and profits of one third part of the said residue of my Estate for the use of my Grandson Charles A Waters during his life time. Such income interest rents and profits to be paid to him from time to time as they accrue.

And after the death of my said Grandson, if he shall leave a child or children or defendant or descendants of a child or children living at the time of his death, then to hold the said one third part of my Estate for the use of such child or children or descendant, their heirs Executors and administrators forever as tenants in common. The descendants of a child to take the like portion that the child if living would take.