who are not named in the foregoing clause for the manumission of my slaves, but whom it is nevertheless my desire to manumit upon the same terms, now I do declare it to be my will and desire that all such negroes shall be manumitted and freed, the males when they may severally attain the age of thirty five five years and the females when they attain the age of thirty one years - and in relation to any of my slaves, who may have attained the age of forty five years at the time of my death, it is my will and desire that all or any of them who may desire to be manumitted and freed shall have the bright and privilege to be so manumitted and freed, provided that within twelve months after my decease they shall file in the Orphans Court for Baltimore County a written declaration to that effect and shall otherwise in all respects comply with the laws of this State in reference to slaves manumitted by last will and Testament, upon filing which and complying with said Laws they shall be manumitted and freed, and the accounts of my Executor credited with them, at their appraised value.

Ch^s Waters

And I do further recommend and desire that in making sales of my negroes, my Trustee shall endeavor so far as the same can be accomplished without injury to the interests of my devisees and legatees to prevent the separation of families without the consent of the members thereof, but I do nevertheless refrain from giving a positive direction upon this subject having the same confidence in the humanity of my Trustee & Executor that I have in his judgment and integrity.

And whereas I have endeavored in the foregoing disposition of my property to do full justice to my family and to distribute and vest my estate in such manner as would be most likely to ensure a continuance of Competence to my descendants and to guard so far as possible against possible improvidence and mismanagement. Now it is my will and desire and the overall devises and bequests in this Will are to be taken subject to this qualification and condition. that should there be any difference of opinion between any of my devisees their heirs or representatives in reference to their rights under this Will such difference of opinion, instead of being made the subject of expensive and vexatious litigation shall be refered to the arbitration, decision and final judgment of honest and discreet referees to be fairly chosen by the respective parties

And lastly I do constitute and appoint my worthy friend and relative, the above named Freeborn G Waters of the City of Baltimore the sole executor of this my last Will and Testament.

In Testimony whereof I the said Charles Waters have hereunto set my hand and seal this second day of April in the year eighteen hundred and forty six.

Ch^s Waters (Seal)

Signed sealed published and declared by Charles Waters as and for his last Will and Testament in our presence, and by us attested in his presence, and in the presence of each other, and who have attested the same by the express direction and request of said Testator this second day of April 1846

Nelson Poe
Alex F Dulin
William Warfield
G D Spurner

Baltimore County ss. On the 14th day of May 1846 came Nelson Poe, Alexander F Dulin, William Warfield and Grafton D Spurner the four

subscribing witnesses to the aforegoing last will and testament of Charles Waters late of said County deceased, and made oath on the Holy Evangely of Almighty God that they did see the Testator sign and seal this Will, that they heard him publish, 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 apprehensions of sound and disposing mind memory and understanding and that they subscribed their names as witnesses to this Will in his presence at his request and in the presence of each other

Sworn to in Open Court
Test D M Perine Register of Wills for Baltimore County

In Testimony that the aforegoing is a true Copy taken from the original filed and remaining in the Office of the Register of Wills for Baltimore County.

I hereunto subscribe my name and affix the seal of my office this twenty first day of May in the year of our Lord eighteen hundred and forty six

Test D M Perine Register of Wills for Baltimore County

The State of Maryland

(Seal) To Charles Howard & Elizabeth A Howard his wife, Charles White and Rebecca A White his wife Prudence Rebecca Howard and Stevenson White and Freeborn G Waters of Baltimore City Greeting. We command and enjoin you, that all excuses set aside you be in your person before the Judges of Baltimore County Court at the Court house in said County on the first day of December next, to answer the Complaint of Charles Waters & wife against you in the said Court exhibited. Hereof fail not, as you will answer the Contrary at your peril. Witness the Honorable Stevenson Archer Chief Judge of our said Court, the second day of November in the year of our Lord one thousand eight hundred and forty six. Issued the 12th day of November 1846.

A W Bradford Clk

Summoned F G Waters, Ch^s White, Rebecca A White, Stevenson White, now Sent the rest

John Kettleworth Shff

State of Maryland

(Seal) To Charles Howard & Elizabeth A his wife Prudence Rebecca Howard of Baltimore County Greeting

We command and enjoin you that all excuses set aside you be in your person, before the Judges of Baltimore County Court, at the Court house in said County, on the first day of January next to answer the Complaint of Charles Waters and wife against you in the said Court exhibited. Hereof fail not, as you will answer the Contrary at your peril. Witness, the Honorable Stevenson Archer, Chief Judge of our said Court, the first day of December in the year of our Lord, one thousand eight hundred and forty six. Issued the 24th day of Decr 1846.

A W Bradford Clk

Summoned omnes I Kettlewell Shff

Charles Waters & wife vs Howard & others for F G Waters | In Baltimore County Court In Equity