in them; The said Executors or either of them as might and
to have and of the testator Estate the sum amounting of four
hundred and fifty dollars in Lieu of said Annuities which sum
was also to be found in Lieu of Annuities to the Executor appointed
by the said Last Will and Testament, That the said Testator de
by his Last Will and Testament appoint his Brother in Law
Robert Miller his son in Law John Skinner Webster and your
Orator Executors thereof and that in case of the death of either of
them the others shall and be authority granted by the said Will to the
Whole of them. That subsequently on the 1st day of March 1838
the said John Skinner Webster after the probate of the said Will
resigned all his rights to the administration thereof in favour of
the said Robert Miller and your Orator, all which matters and
things will fully and at large appear by reference to the said
Last Will and Testament a copy of which your Orator filed marked
Exhibit A to all intents may be taken and received as a part of
this Bill of Complaint; That the said Robert Miller and
your Orator having satisfied all the specific legacies in the said
Will enumerated with Alexander O Ballew That before the
marriage of the said Mary Dennison with the said Alexander
O B Ballew marriage Articles of agreement was executed by
which the interest of the said Mary Denison under the Will of
the said Testator was secured to her free from all control or inter-
ference of her husband and at Law she was sole and unmarried
as that said Alexander O Ballew has no interest whatever in
the Execution of the Trust reposed by the said Testator in the
Executors appointed by him all which fully and at large appears by
reference to the said Marriage Articles of agreement a copy of which
Exhibit B to this Amended which it is prayed may be taken
and considered as a part of this Bill Complaint That the
said John Skinner Webster is since dead having first made the
said Elizabeth Webster That the said Robert Miller Executor

with your Orator departed this life on or about the day of June in
the year 1834 since which your Orator has acted as the surviving
Executor appointed by the Will of the said Testator, That your Orator
is advanced in life and having exceeded the duties imposed on him
by the said Will for upwards of 15 years and being pressed with his
own individual engagements which would take up and of a Co.
Executor do not to enable with the performance of his office of
Executor And which since he has been the sole surviving Executor
hard upon him sufficiently and entitled in conscience with his office
aforesaid for these reasons therefore your Orator is desirous to
avoid himself of the Authority given to him as surviving Executor
in and by the said Will to nominate constitute and appoint by his
Last Will and Testament or instrument other manner as may be
lawful and effectual to suspend such trusts and confidence
persons in whom your Orator has confidence to resume and
keep over the annual income of the Testators Estate and have
the general superintendence thereof and authority himself
therefore to devote upon such and persons the further
execution of the said trusts under his said Will; All which
your advice notwithstanding the former rests in him by the
said Will must be done under the supervision and direction of the
Court of Chancery when matters of this sort are properly Cognizable
To the End therefore that the said Defendants E Webster Margaret
Thornburgh Sarah Macauley and Patrick Macauley and Mary
Ballew formerly Dennison May upon their several and respective
Corporal Oaths or affirmations Full true direct and perfect answers
make to all and singular the matters and things hereinbefore
set forth as if they were thereto respectively specifically interroga-
ted and that Patrick Macauley William H Murray and
John H B Talbot whom your Orator nominates as persons in
whom to have such Confidence may be constituted and appointed by
this Honorable Court Trustees in the place and stead of your