October Term 1883.

George Warner, Sr.'s Last Will and Testament.

I, George Warner, Sr. attorney and counseller at law of Baltimore City, make this,

1st. I direct that my whole estate, real, personal and mixed, wheresoever situate, shall be divided by the trustees, or such of them as shall consent to act, as hereinafter named, into five equal parts - two of which parts, viz: ~~2~~ shall go to my daughter, Anne Catharine, and the other ~~3~~ 3, to go to my two sons, George and William, equally, share and share alike.

But I devise my whole estate as aforesaid, to my nephews, Henry Wm. Ellicott, George Warner Miltenberger, and to my friend, Dr. Edward S. Schwartze, all of said city, to have and hold the same in trust, for my said three children, according to their respective shares, permitting my said children to receive the rents and income thereof, and with power to my said daughter, to dispose of her portion as to her may seem fit, by testamentary disposition only, and without the concurrence of the acting trustees or trustee, and the survivor of them; should all said trustees decline to act, (which I deprecate,) then the said cestuis que trust, to select such fit person as trustee as they may agree to choose. After the decease of my said sons, respectively, their shares to go to their several heirs at law, as also the share of my said daughter, should she die, having made no testamentary disposal thereof.

And I hereby appoint said Henry William Ellicott, Dr George W. Miltenberger and Dr Edward S. Schwartze executors hereof, with power to them, and the survivor of them, and such of them as shall consent to act, to sell and convey any of my estate, real or leasehold, the purchaser