

his cruel and violent conduct, to require surety of him to keep the peace towards her, and, by his recent misconduct and ill-treatment of the same nature, she has been obliged to separate from him. The bill then charges that John L. Trundle, complainant's father, being anxious to provide for her support and that of her children, executed his will in 1836, in which he devised as follows: "I give and devise unto three of my sons, namely, Horatio, Hezekiah W., and David H. Trundle, the farm now in the occupancy of Peter A. Bowic, together with all the personal property belonging to me now in the possession of the said Peter A. Bowic, to them and their heirs in trust, for the use and benefit of my daughter, Sarah H. Bowic, wife of the said Peter A. Bowic, her heirs and assigns for ever; and the aforesaid trustees are hereby authorized to suffer the aforesaid property to remain in the hands of the said Peter A. Bowic as heretofore, for the benefit of himself and family, but in no case to be allowed the privilege to dispose of any part thereof without their consent or approbation; and if my daughter, Sarah H. Bowic, be left a widow, then and in that case she is to have the entire control of all the aforesaid property, without the let or hindrance of any person, whatsoever." The prayer of the bill is for a divorce *a mensa et thoro*, and for a decree directing the said trustees to hold said property for the use of complainant and her children, and prohibiting the said Peter from interfering therewith, or claiming or demanding any part of the proceeds or profits thereof, and that the trustees be enjoined from paying over any part of the same to him. The husband, and Horatio and Hezekiah W. Trundle, the surviving trustees, were made defendants.

The answer of the defendant, Bowic, denies the charges of cruelty of treatment preferred against him by his wife, and recriminates by charging intemperance and vicious conduct to the complainant. He then proceeds to set up in himself an equitable title to the property devised by the will of John L. Trundle, and denies the construction placed upon the will by