

*creed*, that the injunction heretofore granted in this case be, and the same is hereby annulled and dissolved. And it is further *Decreed*, that the bill of complaint of the complainants as herein before consolidated, be, and the same is hereby dismissed with costs to be taxed by the register.

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See this case as reported in 4 G. & J. 479.

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ADDISON v. BOWIE.

All proceedings, exhibits, and proofs must be marked filed before they can be noticed by the court.—A power of appointment as given in a certain will, allowed to be arbitrarily exercised.—A father, so far as he is able, is bound to maintain his infant children; and therefore he is held accountable for the profits of their estate held by him.—A testator cannot, in any way, place his personal estate beyond the reach of his creditors.—A legatee may file a creditor's bill.—Where a testator may put his devisees to an election to take under or in opposition to his will; the court may, in such cases, elect for infants.—A legacy to a creditor may, in some cases, be presumed to have been given merely as a satisfaction of the debt.—The nature of a devise of a right of habitation.—A devise, by a father, 'for the support of the family,' must include the support of the devisor's widow, with the maintenance and education of his infant children.

THIS bill was filed on the 6th of April, 1829, by *Edmund B. Addison*, and *Eliza D. Addison* his wife, against *William D. Bowie*, *Ann D. Bowie*, *Walter B. Bowie*, *Kitty Bowie*, *Richard D. Bowie*, and *John Contee*. The bill states, that *Baruck Duckett*, being seized and possessed of real and personal property of very great value, on the 16th of July, 1809, made his last will and testament, which, although not exhibited with the bill, was afterwards produced and admitted; and so far as it affects this controversy, was in the following words:

'I give and devise to my son-in-law, *William Bowie*, of *Walter*, the plantation whereon I now dwell, likewise the lands called the *Jeremiah and Mary*, and the resurvey on the *Jeremiah and Mary*, and ten acres of the land purchased of *Henry L. Hall*, to be laid off at the north end, during his natural life only. In case the said *Bowie* should die before his wife *Kitty*, she has hereby a right to remain on, to occupy and enjoy all the aforesaid lands during her natural life. If either the aforesaid *Bowie* or his wife *Kitty*, should cut down, or suffer to be cut down, the enclosed woods below my dwelling house for cultivation, their title to cease and be void for