

the case may require and to your Honors shall seem just, May it please your Honors to grant unto your Complainants the State of Maryland writ of Subpoena directed to said Emily Waters, Horatio Waters, Stephen Gambrell Waters and Emily Jane Waters all of Baltimore City directing and commanding them and each of them to be and appear in your Honorable Court on some certain day to be therein named to answer the premises and show cause if any they have why a decree should not be passed as prayed, and your Complainants will ever pray

William S. Miner
Sol. for Complts.

Filed July 27, 1875

Exhibit 1

In the name of God, Amen.

I Horatio Waters of Frederick County in the State of Maryland being of sound mind and memory and knowing the uncertainty of life and the certainty of death, am desirous of settling my worldly affairs so as to be prepared to leave this world when it shall please God to call me hence do make and publish this my last Will and Testament in manner and form as follows I do authorize and empower my Executrix hereinafter named to sell at public or private sale as she may deem best, and without the previous order of the Orphans Court for Frederick County all or so much and parts of my Real Estate and Personal Estate as may be necessary for the payment of my debts and funeral expenses. After the payment of my debts and funeral expenses I give devise and bequeath all the rest and residue of my estate Real Personal and mixed to my beloved wife Margaret Waters during her natural life and after her death to be divided between my two sons Cyrus Waters and Horatio Waters share and share alike, and in case of the death of either of them the portion to which they would be entitled to if living is then to be divided amongst the children of the deceased son, and lastly I do hereby constitute and appoint my beloved wife Margaret Waters to be sole Executrix of this my last Will hereby revoking all former Wills by me made

As witness my hand and seal this 29th day of August in the year of our Lord One thousand Eight hundred and Sixty four

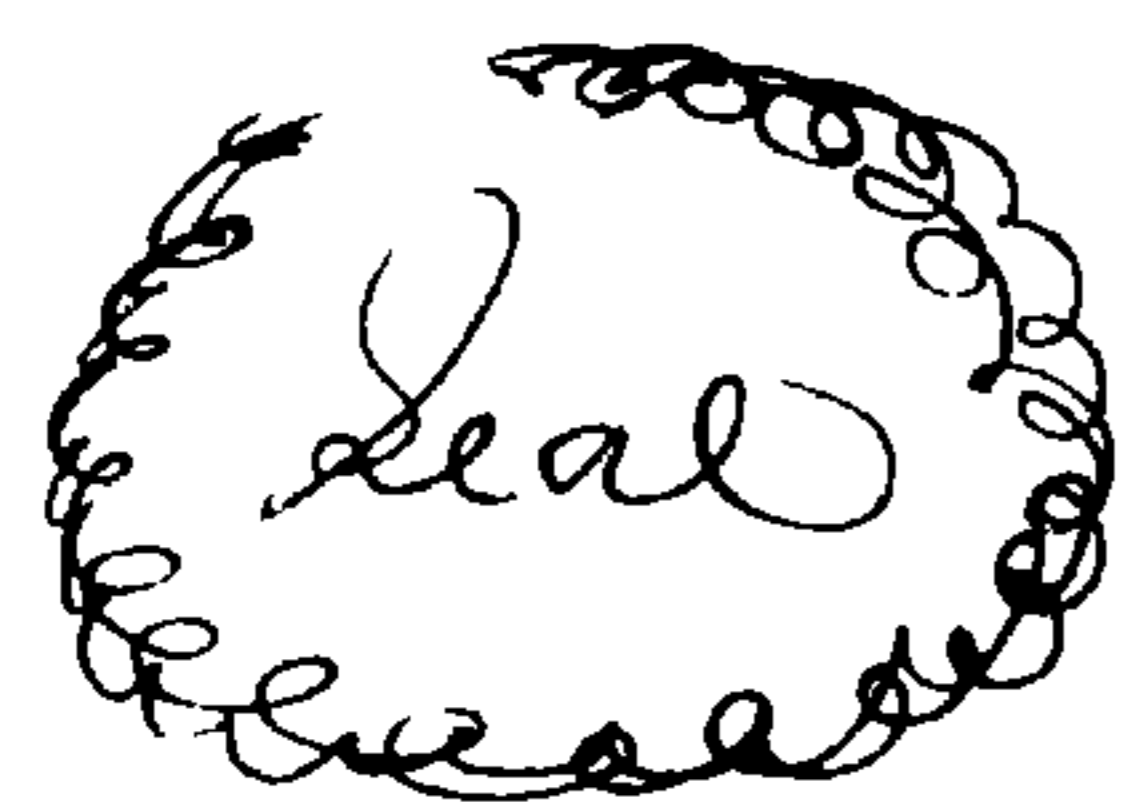
Horatio Waters 

Signed sealed published and declared by Horatio Waters the above named testator in our presence as and for his last Will and Testament who at his request in his presence and in the presence of each other have signed our names as witnesses hereto

Jos H L Cartt
J. Gaine Duvall
Thos M Holbrower

State of Maryland Frederick County to wit:

I hereby certify that the foregoing is a true copy from the original as filed and recorded in the Office of the Register of Wills for Frederick County.



In testimony whereof I hereunto set my hand and affix the seal of Office this 27th day of July 1875

Test

John R. Rouzer, Register
of Wills for Frederick County.

Filed July 27, 1875.