

it is further my will, that all the property be kept together, and worked by the family slaves, until my son Walter shall arrive to full age; for the support of the family, the whole of the net profits, after payment of my debts, to be equally divided between my children, Eliza, Walter, Kitty, and Richard. I give and bequeath all my furniture to my wife and my five children, specifically, share and share alike. I give and bequeath to my wife the following negro slaves, viz: Jerry, Little Jerry, Ben, Reuben, and Cato, and Rachael and Milly, that came by his wife, and Maria. All the residue of my personal estate I give and bequeath to my wife and her son, and to my children, Eliza, Walter and Kitty, specifically, share and share alike. And lastly, I do hereby \*appoint my son, William D. Bowie, and my friend, John Contee, **610** Esq. joint executors of this my last will and testament."

The bill further states, that soon after making this will, William Bowie, of Walter, died; that on the 15th of September, 1826, it was proved according to law, and letters testamentary granted to the executors, these defendants William D. Bowie and John Contee, who took possession of, and have used and cultivated the testator's real and personal estate; that the testator, at the time of his death, left a widow, the defendant Ann, and the defendants William, of full age, and Walter and Kitty, and the plaintiff Eliza, his children by his former wife, the daughter of the testator Baruck, and the defendant Richard, a child by his second wife, the defendant Ann, who were infants under twenty-one years of age; that the executors have fallen into several errors as to the true construction of the will of their testator, and have accordingly applied it to the prejudice of the plaintiffs; that the family have resided at the mansion house, and have been supported out of the profits of the estate, as directed by the will of the testator William until some of the children were sent out to school, and that the executors had made no allowance to the plaintiff Eliza for her maintenance, &c. Whereupon the bill prayed that the will of the testator William might be carried into effect under the direction of the Court; that the executors might be ordered to account, and that the plaintiffs might have such other relief as the nature of their case might require.

On the 10th of July, 1829, the defendants William D. Bowie and John Contee put in their joint answer, in which they admitted the marriage of the plaintiffs and the wills of the testators Baruck and William; that they had obtained letters testamentary under the will of the latter; had taken possession of his estate, and settled with the Orphans' Court accordingly; that the real and personal estate of the testator William had been kept together, and the family supported as directed by his will, &c.

The defendant Ann D. Bowie, on the 29th of September, 1829, put in her answer, in which she referred the Court to the two wills