

And, in conclusion, the auditor further reports and observes, that the question of election is then supposed to be, whether it will be more to the advantage of the said Walter and Kitty, to take an unencumbered fee simple in the said real estate, than to take the same with the charges imposed by the will of their father, and the benefits conferred on them by that will. As to the defendant Kitty. It is clearly for her interest to take under her father's will. Her share of the real estate of her grandfather Duckett, is valued at \$4,500. The real estate devised to her by her father, is valued at \$8,400; and the personal estate at \$4,187.14. The income which she might derive from the estate of her grandfather, is estimated at \$180 per annum. Her expenses, which have been charged upon, and have been defrayed out of the profits of the aggregate estate, are estimated at \$468.75 per annum. The real estate of the said Baruck Duckett, deceased, which is devised to the said Walter by his father is valued at \$17,000. Its annual income is estimated at \$680. The father having died in 1826, and the charges for payment of debts, and support of the family, being limited to the said Walter's arrival at age, which will happen in 1832, the value of those charges may be estimated at \$4,080. His expenses, which are charged upon and have been defrayed out of the profits of the aggregate, are estimated at \$593.75 per annum; or for the term aforesaid, at \$3,562.50. The realty devised by the father, is valued at \$6,200, and the personalty at \$4,187.14; making the advantages to be derived from the father's will, amount to \$13,049.64. All which, is respectfully submitted.

616 *The complainants excepted to this report and accounts of the auditor; first, because they admit the claims of Walter and Kitty Bowie to two-thirds of certain negroes devised by Baruck Duckett to the other children of William Bowie, of Walter; second, because they assume, that said two-thirds is to be used, and their profits accounted for as parcel of said Bowie's estate; and third, because they make no allowances to the said other children for the services of said negroes so bequeathed to them from the death of said Duckett.

The defendants excepted to so much of this report and accounts of the auditor as allow the complainant's hire for the negroes left to her by Baruck Duckett before the arrival of her brother Walter at the age of twenty-one years; because, under the will of her father, William Bowie, to which the complainants are understood to assent, and under which they make claim to all the property left thereby to the complainant Eliza, the said negroes were to be retained and worked by his executors for the benefit of the whole estate: nothing, therefore, can be claimed by the complainants for their hire; second, they except also to an allowance being made for the maintenance of said Eliza; because of the provision made for her at the mansion house; and thirdly, they