

matters stated in the bill, pray that their interest may be protected, and leave the plaintiffs to prove their case.

After which the case was brought before the court, and with the consent of the solicitors of the parties, the following decree was passed.

2d October, 1829.—BLAND, Chancellor.—Decreed, that this case be, and the same is hereby referred to the auditor, with directions to take an account of the estate of the late *William Bowie*, of *Walter*, which has come into the possession of the defendants *William D. Bowie* and *John Contee* as his executors or otherwise. And that the auditor also report the gross value, and annual value of the estates of *Baruck Duckett*, deceased, which, by his last will and testament, was devised to *William Bowie*, of *Walter*, deceased, for life, with the power of appointing or disposing of the same to and amongst his children, and of the several parcels thereof which are devised or disposed of by the last will and testament of said *William Bowie*, of *Walter*, deceased. And also the gross value and the annual value of the estate of the said *William Bowie*, of *Walter*, deceased, and of the several parts or parcels thereof, which are devised by his last will and testament to and amongst his children respectively. And also the amount of the debts of the said *William Bowie*, of *Walter*, deceased, which yet remain unsatisfied. And the said auditor is also required to report the ages of the widow and children of the said testator, and what would be proper allowances to be made for the support of the testator's family, and the complainant *Eliza*. And whether it would be to the interest and advantage of the said defendants *Walter* and *Kitty* to take under the will of their grandfather, or under the will of their father. And the auditor is required to state such other accounts, and report such other facts and circumstances in relation to the matters in issue, as may be required by either party. And shall make his report from the evidence already in the case, and such other testimony as shall be produced before him by either party, on giving the usual notice. And either party shall have liberty to take depositions of witnesses before a justice of the peace, on giving three days' notice thereof to the adverse party, or their counsel. All equity to be reserved for final hearing.

After which, the auditor, by his report bearing date on the first day of May, 1830, says, that in obedience to this decree, and after the usual notice to all the parties, he had attended at his office,