my Debts, and funeral charges are paid I devise & bequeath as follows.

I give and bequeath unto my beloved wife, all my Estate, both Real and personal, during the single life, except the Legacy hereafter mentioned, but if she should marry my Estate both Real and personal I direct to be sold, and equally divided between my children, or at her death to be sold & Equally divided between my children, provided she marry --

Item I give, and bequeath unto my daughter Susanna One Red and white Cow.

Item I give and bequeath unto my daughter Catharine One Red & white Cow.

Item I give and bequeath unto my son John the Colt my bay mares big with, likewise my silver watch, when arrives to the age of Twenty one, if he behaves himself in and orderly & child-like manner to his mother

Item I give and bequeath unto my son Thomas, my Gold watch to be sold to educate him.

And lastly I do hereby constitute, and appoint my dear wife Mary Ann, to be sole executrix of this my last will & Testament, ratifying and confirming this & none other to be my last will and Testament. In Testimony whereof I have hereunto set my hand and affixed my seal this first day of November in the year eighteen Hundred and nine

Thos Fleming (Seal)

Signed sealed published & declared by Thomas Fleming the above named Testator, as, and for his last will & Testament in the presence of us who at his request, and in his presence have subscribed our names as witnesses thereto

Henry McElfresh
Jo. West Jun.
Isaac Klay Jr.

State of Maryland Frederick County to wit

I hereby certify that the foregoing is a true Copy from the Original as filed & Recorded in the office of the Register of wills of the County aforesaid In Testimony whereof I hereunto set my hand & affix the seal of office this 29th day of July 1852.

(Seal) (Test.) Geo Hoskins Regr. of wills
for Frdk. Co. Md.

Thomas Fleming, Nehemiah Poole & wife & others } In the circuit Court for Frederick County sitting in Equity July Term 1852

The Petition & Exhibit in this cause, having been read, and considered It is thereupon this 30th day of July 1852 by the Hon'ble. Madison Nelson, Judge of the Circuit Court for Frederick County, sitting in Equity adjudged ordered & decreed, that the Real Estate, in the Petition & proceedings mentioned be sold and that Thomas Fleming be and he is hereby appointed Trustee to make said sales, and that the course & manner of his proceedings shall be as follows He shall first file with the clerk of this court, a bond to the State of Maryland, in the penalty of two Thousand Dollars with security to be approved