members and appurtenances thereunto belonging and all easements and hereditaments herewith had, used or exercised, subject nevertheless to the right of the said Thos. S. Davis his heirs and assigns as owners of said Mills called The Greenfield Mills and in respect thereof to maintain the dam thereof at the hight as mentioned and expressed in said Certificate heretofore described, recorded in Liber A.S. No 1 folio 209 &c. One of the land records of Frederick County aforesaid. To have and to hold the said piece or parcel of land and premises with the rights members and appurtenances, easements and hereditaments aforesaid (subject as aforesaid) to the said William Eagle his heirs and assigns forever to his and their only proper use and behoof and to and for no other use intent or purpose whatsoever.

In witness whereof the said Thomas S. Davis hath hereunto subscribed his name and affix his seal the day and year first hereinbefore written.

Signed, Sealed & Delivd. in the presence of S. Mantz — R. E. Tilliard } Thomas S. Davis (Seal)

Which was thus Endorsed to wit:

State of Maryland Frederick County Sct: On this 24th day of February 1837, before us the subscribers two of the justices of the peace of the State of Maryland in and for Frederick County personally appeared Thomas S. Davis party grantor in the said deed or instrument of writing and who is satisfactorily known to us of our own knowledge to be the same person who is named and described and who professes to be party grantor in the said deed or instrument of writing and acknowledged the same to be his act and deed for the purposes therein mentioned.

Acknowledged before S. Mantz — R. E. Tilliard

State of Maryland Frederick County to wit: I hereby certify that the aforegoing is a true copy of the original Deed taken from Liber W.B.T. No 11 folios 311 and 312 One of the Land Records of Frederick County.

(Seal) In testimony whereof I hereunto subscribe my name and affix the seal of the Circuit Court for Frederick County this 12th day of July 1862.

B. G. Fitzhugh Clerk

Ext. No. 4. At the request of William Eagle the following Deed was recorded August 6th 1849

This Indenture made this twenty third day of February 1837 Between Nath.l N. Clabaugh and Susan Cath.e Clabaugh his wife, of Frederick County in the State of Maryland of the one part and William Eagle of Frederick County in the State aforesaid of the other part, Whereas a certain Thomas S. Davis by his certain deed of conveyance bearing date the twenty third day of February inst. has conveyed to the said William Eagle his heirs and assigns forever a certain piece or parcel of land and premises lying and being in Frederick County aforesaid containing the quantity of one hundred and fifteen and three quarter acres more or less, and being part of a tract of land called the Rennney on Fox Hall in which said deed it is among other things recited that a certain agreement had been sometime previously made by and between the said Thomas S. Davis and the said Nathaniel N. Clabaugh whereby the said Thomas S. Davis sold and bound himself to convey to the said Nath.l N. Clabaugh his heirs and assigns a certain part or portion of the said piece or parcel of land and in which said deed it is further recited that the said agreement was afterwards assigned by the said Nath N. Clabaugh