

Such costs and commission to the said trustee as this Court shall think proper to allow him in consideration of the skill and fidelity wherewith he shall appear to have discharged the duties of his said trust so confided to him as aforesaid.

Attest
 My hand
 Wm. Thriver

In the name of God my Creator Amen. I Casper Mantz, of the Town of Frederick in Frederick County and State of Maryland being of sound mind, memory and understanding, do make and publish this my last Will and Testament, in manner and form following, that is to say: First, I devise and bequeath to John H. W. Elfresh, his heirs or assigns for the purposes, uses and trusts hereinafter mentioned, two hundred and twenty two acres of land more or less, being part of "Locust Level" and lying on the Baltimore and Hagerstown Turnpike Road, about one mile East of Frederick, whereon William Eador now resides, the said tract of land including the thirty seven and a half acres of land, which I purchased of Jacob Himmel and the seventeen and a half acres which I purchased of Joseph Haller, and also the fifteen and a half acres of land which I purchased of Thomas C. Worthington, trustee; also all that part of a tract of land called, "Altogether" adjoining the lands of Nathan Hammond (of Armond) which lies South of the Baltimore and Hagerstown Turnpike road; also that lot of ground in Frederick lying on Market Street, between the present dwelling of Mrs. Hardt and William M. Beall Esq. and ten thousand dollars, money now in the hands of John H. W. Elfresh, bearing interest at the rate of three per cent per annum, and five thousand dollars in cash. It is my wish and desire and I do so order and direct, that the net profits arising from the aforesaid farm of two hundred and twenty two acres after deducting what is necessary to keep said farm and the buildings thereon in good repair, together with the interest arising after my death from the ten thousand dollars of three per cent funds in the hands of John H. W. Elfresh and the five thousand dollars in cash as aforesaid, shall be invested in some good funds at the discretion of the said John H. W. Elfresh. I further order and direct that the said John H. W. Elfresh shall pay over to my sister Eleanor, out of the net proceeds of the real and personal Estate above devised, during the life of her husband, as much as the said John H. W. Elfresh may think necessary for the comfort of my said Sister Eleanor and her children, but in no event to suffer any part of said proceeds to go into her husband's hands. And any receipt or acquittance which my Sister Eleanor through her agent shall execute to the said John H. W. Elfresh touching the aforesaid trusts, shall be as valid in law as if she were sole. Should my Sister Eleanor outlive her husband, then I direct John H. W. Elfresh, forthwith to erect for her, on the lot adjoining William M. Beall Esq. and Mrs. Hardt aforesaid, a good and comfortable two story Brick house with convenient back buildings and I hereby appropriate three thousand dollars out of my estate for that purpose and should the said John H. W. Elfresh not think, the three thousand dollars sufficient, he is at liberty to apply part of the ten thousand dollars of the three per cent funds in his hands or the proceeds thereof towards the completion of said dwelling house. I further direct, that should my Sister Eleanor outlive her husband, that the net proceeds of the land and money and cash hereinbefore mentioned, shall be paid semi-annually to my Sister Eleanor and the interest on the ten thousand dollars in the hands of John H. W. Elfresh shall then be raised to six instead of three per cent per annum. And upon the death of my Sister Eleanor, I then order and direct that all the real estate hereinbefore mentioned shall be sold by the said John H. W. Elfresh, who is hereby fully authorized and empowered to convey any part or the whole, in as ample a manner as I could do myself, and the proceeds arising therefrom, and the ten thousand dollars in the said John H. W. Elfresh hands, and

Exhibit

No. 1