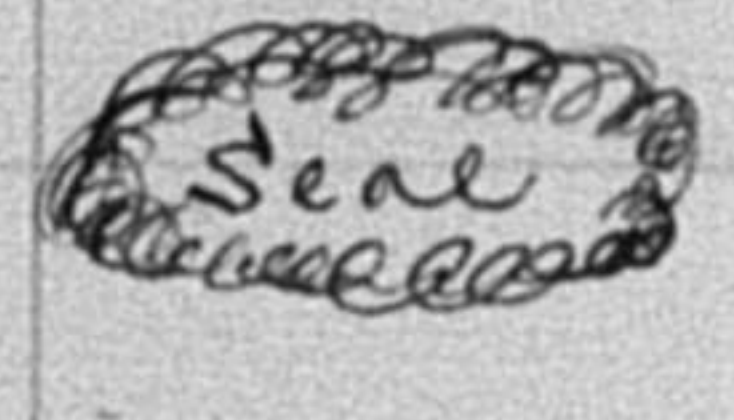


- and freely and without being induced thereto by fear or threats of, or ill usage by her husband or for fear of his displeasure, acknowledges that she makes the same willingly and freely and without being induced thereto, by fear or threats of ill usage by her husband or fear of his displeasure.

Acknowledged before Chas. H. Burkhardt - Henry Franky

State of Maryland, Frederick County Sch. I hereby certify that the above and foregoing is a true copy taken from the original deed as recorded in Liber S. S. No. 36 folio 88, 89 & 90 One of the Land Records of Frederick County, - In testimony whereof I hereunto subscribe my name and affix the seal of the Circuit Court, this 21<sup>st</sup> day of June 1863.



R. G. Fitzhugh Clerk

Exhibit No. 5.

At the request of Jacob Wachter the following deed was recorded June 5<sup>th</sup> 1833 -

This Indenture, made this fifth day of June in the year of our Lord 1833, Between Henry Wilhide and Catharine Wilhide his wife, of Frederick County, in the State of Maryland of the one part and Jacob Wachter of the same County and State aforesaid of the other part, Witnesseth that the said Henry Wilhide and Catharine Wilhide for and in consideration of the sum of two hundred dollars current money to them in hand paid by the said Jacob Wachter at or before the sealing and delivery of these presents, the receipt whereof the said Henry Wilhide and Catharine Wilhide do hereby acknowledge, have granted, bargained and sold aliened, enfeoffed, and confirmed, and by these presents do grant, bargain, sell, alien, enfeoff and confirm unto the said Jacob Wachter his heirs and assigns forever, all the following described piece or parcel of land situate lying and being in the County and State aforesaid, being part of a tract of land called "Surre bind Surre find" which was conveyed by a certain Philip Morningstar to Jacob Holtz, for twenty five acres by deed bearing date the fifth day May 1798. Beginning for the piece or parcel of land hereby intended to be conveyed at a stone now planted at the end of thirty nine and one half perches on the given line of the twenty five acres aforesaid, and running thence with it reversed North 63 degis, 25 minutes West 12 perches to a stone planted South 35 1/4 degrees West 2 1/2 perches to a stone planted South 35 degis East 8 1/2 perches to a stone planted thence North 62 degis East 8 perches to the beginning containing 50 square perches of land more or less. Together with all and singular the premises, improvements, rights liberties, privileges, hereditaments and appurtenances therunto belonging or in any wise appertaining and the reversion and remainders, rents issues and profits thereof and all the estate right, title and interest whatsoever of them the said Henry Wilhide and Catharine Wilhide both at law and in Equity, of in and to, and out of the aforesaid land and premises hereby bargained and sold and every part thereof. To have and to hold the said piece or parcel of land so as aforesaid described, together with the improvements and appurtenances and all and singular other the premises hereby bargained and sold & every part and parcel thereof, unto the said Jacob Wachter his heirs and assigns, to the only proper use benefit and behoof of him the said Jacob Wachter his heirs and assigns forever, to and for no other use intent or purpose whatsoever, and the said Henry Wilhide and Catharine Wilhide for themselves their heirs, executors and administrators do hereby covenant, grant, promise and agree, to and with the said Jacob Wachter his heirs, executors, administrators or assigns, that they the said Henry Wilhide & Catharine Wilhide and their heirs, the said piece or parcel of land and premises with the appurtenances therunto belonging to him the said Jacob Wachter his heirs and assigns, against them the said Henry Wilhide and Catharine Wilhide and their heirs and against all and every person or persons whatsoever claiming or to claim, any right, title or interest in, and to the same or any part thereof, from by through, or under them, or any of them shall and will hereafter warrant and forever defend by these presents. In witness whereof the said Henry Wilhide and Catharine Wilhide