

issue, the Survivor his or her issue shall be entitled to all the negroes and their increase, hereby devised in trust provided he or she arrive at lawful age or leave issue. And in case of the death of both my said grand children before they attain lawful age as aforesaid, and without issue, then all these negroes hereby devised in trust, and their increase, shall revert to my children and their heirs.

It is my will that the said Trustee or the survivor shall hold said negroes, and have the benefit of their services as an equivalent for their support and expenses taxes &c. That in case any of them be lost by death or in any other manner, the said Trustees shall not be held responsible for the loss, provided they exercise ordinary diligence in the execution of the trust. ~

I hereby manumit and set free my servant Maria and direct that Cecily shall serve my daughter Mary Ellen until my Grand daughter Eliza Lee Mitchell be of lawful age to claim her — I also direct that my son Outbridge do support the Old woman Grace — Also that Billy and Ganney and that my faithful Servant Emily be maintained by my daughter Mary Ellen. ~

I devise my real estate in Frederick County in manner following. I devise my daughter and son to select each a gentleman who shall divide the tract or tracts into two equal portions by a line running from East to West, having regard to quantity and quality, and that they fix a value on each portion, and the portion so laid off which includes the house and the improvements around it I give and devise to my daughter Mary Ellen her heirs and assigns forever, and I direct that my daughter be not charged in consideration of the house and improvements more than five hundred dollars. ~

The other portion so laid off, I give and devise to my son Outbridge and his heirs forever — I also give and devise to my son Outbridge and his heirs forever, over and above the aforesaid portion, the piece of land on which the Distillery and Hog-pens are built and the inclosed space opposite the Distillery and between it and the farm road, with the right of way through the said road from the Distillery to the public road. ~

I direct that the excess in the valuation of either of the said portions shall be paid in Cash or reasonable credit by the party receiving the more valuable portion, to the party receiving that less so. — And in case the persons selected as above, should disagree in their division or valuation of the land, then they shall call in a third person to decide. ~

I give and devise all the rest and residue of my estate real and personal, of every kind and every where to my daughter and son, to them, their heirs, Executors, Administrators and assigns, and hereby appoint them my Executors, and the Trustees before referred to, and the Guardians of my Grand children. ~

I give and devise to my Grand children aforesaid One thousand dollars each, to be paid them with interest from one year after my death, as soon as they arrive at legal age, and in case of the death of either of either before attaining legal age, and without leaving issue, the whole of the said fund shall be paid to the survivor his or her issue upon his or her attaining legal age or having issue, and in case of the death of both, before attaining legal age, and without leaving issue, the said fund shall revert to my said daughter and son their Executors and Administrators. ~

The said legacy of two thousand dollars I hereby create a charge on