

to be the right and estate of the said Henry Smith Grantee therein named his heirs and assigns forever according to the purport, true intent and meaning of the said instrument of writing and the costs of Assembly in such case made and provided, and the said Almida Miles wife of the said Chas. Miles aforesaid being by us also privately examined apart and separate from and out of the hearing of her husband - acknowledged that she doth make her acknowledgment of the same willingly and freely and without being induced thereto by fear or threats of or ill-usage by her husband or fear of his displeasure.

Acknowledged before

J. H. M. Smith - Arthur Tauger

State of Maryland Fredk County Jct.

I hereby certify that the foregoing is a true copy of the original Deed as recorded in Lib. J. S. N^o. 34, folio 599 & one of the Land Records of Fredk County.

In testimony whereof I herewith subscribe my name and affix the seal of the Circuit Court for Fredk County this 18th day of March A. D. 1873.

Filed Jan. 3. 1874.

Chas Mantz, Clk.

Exhibit 3.

In the name of God Amen.

Be it known that I Elizabeth Moberly of Frederick County in the State of Maryland being old but of sound and disposing mind and wishing to arrange my worldly affairs do make this my last Will and Testament in manner and form as follows to wit:

First I give and bequeath unto my Daughter Almida Miles, my negro woman Ann, to serve during the life of my daughter, and at her death to be set at liberty, and it is my will that she shall not under any circumstances be sold, and also to my Daughter aforesaid and her heirs forever my negroes John, George, Henry, Mary and Dennis, the children of the aforesaid Ann.

Secondly, I give and bequeath unto my granddaughter Elizabeth C. Smith and her heirs forever my negro Basil.

Thirdly, I give and bequeath unto my Granddaughter Cleonora F. Smith and her heirs forever my negro Nick.

Fourthly, I give and bequeath unto my son John Isaac Moberly and his heirs forever my interest (being the one half) in the land purchased by myself and Daughter Elmas of Thomas Carter, then Sheriff of Frederick County, and under a Judgment of Frederick County Court, as the said John Isaac Moberly's individual third share of the land left by his father upon the condition, that he shall hereafter set up any claim against my Estate whatever, in the event of his setting up any such claim he shall forfeit all right and benefit from the above devise, and in that case the land above devised to go to the children of my deceased Daughter Elmas Smith and their heirs forever. It is further my will and desire that if my son John Isaac Moberly should die before me, then in that case I give and devise unto my four Grandchildren the heirs of my deceased daughter Elmas Smith the land described to him the said John Isaac Moberly.

Fifthly, It is my will and desire that my Executor hereafter named shall pay to my servant man George the sum of forty Dollars, and that he be set at liberty, and discharged from all liability to my Estate, he having been

Exhibit
No. 3