

No. 11312 Equity

natural life or until death that the said James should annually
the trees on the said farm and keep it in reasonable repairs, and
should his present wife, survive him, she to have the use and posses-
sion of said farm during her natural life, she paying the taxes and
keeping up reasonable repairs, further in trust that my son James
should have an fee simple, that he convey said farm to my said son James
and his heirs, but if my said son James shall die without having such
issue, then the said farm, on the death of my said son James this present
wife, to be the right, property and estate of the children of my son John
as tenants in common, and their heirs forever

Item I give and bequeath to my son James, negroes Jack and Alice
now and for some years past in his possession.

Item. - All the rest and residue of my estate, I give and bequeath to
my son John, my daughter Martha C. and the four children of my daugh-
ter Mary Ann Spurr, deceased, the four children jointly to have one third
said residue; and it is my wish & desire that they keep any negroes, if they
can make an equitable division of them. My Executors are to sell at
public sale my goods and chattels, embracing the negroes, in case the
residuary legates cannot make an equitable division of them.

Lastly, I constitute and appoint my son John and my friend
and son in law Phemius Spurr to be Executors of this testament
and last will, and revoking all former and other testaments and wills
by me heretofore made

In witness whereof I hereunto subscribe my name and affix my seal this
twenty fourth day of January 1879, so far as touching the foregoing however
as to tract of land, &c. I cannot be brought against my son James for mon-
ies paid for him and that he shall be entitled to the one fourth of the net
proceeds of sales of my goods and chattels including the negroes, he having
two slaves willed to him as his full share of my slaves

John Montgomery 

Signed, sealed, published and declared by John Montgomery
the testator therein named as and for his last will in our presence,
who at his request, in his presence and in the presence of each
other, have subscribed our names as witnesses thereto.

Allen Anderson
William B. Hickey
G. M. Eckelbarger

Filed Aug. 15, 1879

State of Maryland, Frederick County, to wit:

I hereby certify that the fore-
going is truly taken from the records of Proceedings of the Orphans Court
of Frederick County, aforesaid

In testimony whereof I hereunto subscribe
my name and affix the Seal of the said Or-
phans Court this 7th day of August A. D.
1879



John R. King
Clerk of Court

Exhib
No
Bill of
Montgom

Exhib
No