

NO 8170 Equity.

Exhibit No. 5.

Filed May 11-1908.

At the request of Nicholas Baker the following deed is received for record and recorded January 16th. 1898. at 12.30 O'clock P.M.

Wit: John L. Jordan, Clerk.
 This Deed made this fifth day of January in the year Eighteen Hundred and Ninety three. Witness, that I, Eugene L. Howe Executor of the last will of David Agnew, late of Frederick County, deceased, under the power contained in the last will and testament of the said David Agnew and by authority of an order of the Orphans Court of Frederick County, Maryland passed on the twenty seventh day of November in the year eighteen hundred and eighty eight, in consideration of the sum of Seven hundred and twenty six dollars and twenty five cents (\$726.25) the receipt whereof is hereby acknowledged have bargained and sold and do hereby grant unto Nicholas Baker, of said County, all that real estate of which the said David Agnew died seized and possessed situated and lying in the fifth Election District of said County beginning at the same at the North Corner of Lot Number Seventy eight (78) among the oak lots on the Plat of the Town of Emmittsburg and running thence South Nineteen and one half degrees West, thirteen and one half perches, with the Turnpike Road leading from said Town to Frederick City, thence Sixty nine and one half degrees East thirty four perches and eight links thence North eighteen and one half degrees East thirty three perches and eight links, thence North Seventy two and one half degrees West, thirteen perches, thence South Eighteen and one half degrees West eighteen perches and nine links, thence North Seventy two and one fourth degrees West fifteen perches to the beginning, containing five and one fourth acres of land more or less, less Six thousand Square feet thereof heretofore conveyed by the grantor in this deed to a certain William B. Ogden and George F. Tate by a deed dated on the twenty eighth day of March, in the year eighteen hundred and eighty nine and recorded among the land records of said County, in Lib. N. S. P. No. 9, folio 112, it being the same real estate which was conveyed to the said David Agnew by John Miller and wife by their deed dated on the twenty fourth day of December in the year eighteen hundred and Sixty four and recorded