

some advertisement published in a newspaper published in Frederick County, which sale shall be for cash and to apply the proceeds of such sale to the payment in the first place of the costs and expenses of making said sale including a commission of 4 per cent upon gross proceeds of sale & reasonable counsel fees, then to the payment of said \$4006 and all interest which may be due when same and the surplus if any to pay to the said Joab W. Davis. Witness my hand and seal this 4th day of January 1888.

Joab W. Davis (seal)

Test--

Wm. P. Maulsby, Jr.

State of Maryland, Frederick County to wit--

On this 4th day of January 1888, before the subscriber a Justice of the Peace of said State in & for said County, personally appeared Joab W. Davis and acknowledged the foregoing deed of mortgage to be his act and at the same time personally appeared Elviry Davis the within named mortgagee & made oath on the Holy Evangelical of Almighty God that the consideration in said Mortgage is true and bona fide as there in set forth.

JAMES H. BESANT, J. P.

By virtue of an order of the Orphans Court for Frederick County passed this 8th day of February A. D. 1894, I hereby assign and transfer to Hepsie E. Etchison, wife of Henry N. Etchison the foregoing mortgage.

Mrs. Hepsie E. Etchison (seal)

Test--

Admtr. C. T. A. of Elvira W. Davis.

John L. Jordan, Clerk.

State of Maryland, Frederick County to wit--

I hereby certify that the foregoing is a true copy of the original mortgage from Joab W. Davis to Elviry Davis as recorded in liber W. I. P. No. 5 folio 506 one of the land records of Frederick City, Md., this 2nd day of October A. D. 1912.

Harry W. Bowers

Clerk of the Circuit Court for Frederick County, Maryland.

Court Seal.

EXHIBIT C.

In the name of God, Amen.

I Elviry W. Davis the wife of Joab W. Davis of Frederick County, in the State of Maryland being in good bodily health and of sound and disposing mind memory and understanding mindful of the certainty of death and of the uncertainty of the time thereof and being desirous to settle my worldly affairs before it shall please Almighty God to call me hence do therefore make and publish this my last will and testament in manner and form following--

First and principally I commit my body to the earth to be decently buried in the discretion of my executor and after my just debts and funeral expenses are paid I give and devise as follows--

I give, devise and bequeath to my daughter Hepsie E. Smith, the mortgage debt now due and owing to me by my husband Joab W. Davis, which said Mortgage bears date January 4 1888 together with all interest due or which may become due upon the same; provided however and upon the express condition, that should my husband survive me the said Hepsie E. Smith is not to charge or exact or collect from my said husband any interest on said mortgage debt from my death until his death so long