

Eighteen hundred and Sixty Eight. The balance to be paid in seven years from the first day of April Eighteen hundred and Sixty-eight, or in such yearly instalments as the said Chas. E. Smith and T. H. Routson may see proper to pay. The interest to be paid annually on whole amount of unpaid money at the rate of six per cent per annum.

On the payment of the whole purchase money the said John Smith if living or if not his Executor or some legal person or persons doth agree to make a good and sufficient deed free from all incumbrance for the above named Farm.

John Smith

Witness:

Charles E. Smith

Sarah J. Day

T. H. Routson

Ellen V. Smith

EXHIBIT B

(Filed 27 Decbr. 1869)

In the name of God Amen I John Smith of Uniontown, Carroll County in the State of Maryland, being in health of body and of sound disposing mind, memory and understanding, considering the certainty of death and the uncertainty of the time thereof and being desirous to settle my wordly affairs and thereby be the better prepared to leave this world when it shall please God to call me hence, do therefore make and publish this my last will and testament, in manner and form following, that is to say, First and principally I commit my soul into the hands of Almighty God, and my body to the earth to be decently buried at the discretion of my Executor hereinafter named, and after all my debts and funeral charges are paid, I devise and bequeath as follows,

Item, I give devise and bequeath unto my dear wife, the house and lot of land in Uniontown, where I now reside, for her own use and benefit during her natural life,

Item, I give and bequeath to my dear wife, the sum of two hundred dollars, with all the household and kitchen furniture, contained in and about my house, at the time of my decease, also One Cow and two hogs,

Item, I now will, order and direct that, within year after my decease (unless a majority of my heirs shall direct otherwise, that all my remaining real and personal estate (not herein before disposed of, shall be sold by my Executor at public or private sale, after due notice of such sale shall be given, and the proceeds thereof I will, order and direct shall be distributed in manner and form following to wit:

Item, I will, order and direct that my Executor hereinafter named shall place out at interest, the sum of four thousand dollars (it being well secured) of the proceeds of the sale of the personal and real property, I have herein before directed to be sold, and the interest of the said sum of four thousand dollars he shall pay annually to my dear wife, during her natural life,

Item, I give and bequeath unto my son Charles Edward, the sum of five hundred dollars, out of the money that shall first come into my Executors hands belonging to my Estate,

Item, I now give devise and bequeath all the balance and residue of my Estate, (not hereinbefore disposed of) to be divided equally between all my children, daughters and Son, share and share alike, or to the children of them who may have died previous to this distribution of my Estate,

Item, I will, order and direct that if a majority of my heirs shall direct that my Real Estate (not hereinbefore disposed of) shall not be sold immediately after my decease, that then and in that event, I will and direct that my Executor shall pay to my dear wife, one year after my decease the sum of two hundred and forty dollars out of the profits and revenues of my estate and he shall continue to pay unto her the sum of two hundred and forty dollars at the end of every year thereafter until there shall have accumulated one year's interest on the beforementioned sum of four thousand dollars the interest of which