

Staley and Clara A. Staley, his wife, to Charles A. Staley, as recorded in Liber H. W. B. #296, folio 96, one of the Land Records of Frederick County, Maryland.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of the Circuit Court for Frederick County, at Frederick, Maryland, this 17th day of September, A. D., 1943.

Court Seal

Ellis C. Wachter,  
Clerk of the Circuit for Frederick County, Maryland.

Filed September 29, 1943

LAST WILL AND TESTAMENT

"EXHIBIT NO. 5"

I, Albert Wilson Burkart of Yellow Springs, Frederick County, in the State of Maryland, being of sound and disposing mind, memory and understanding considering the certainty of death & the uncertainty of the time thereof; and being desirous of having my earthly affairs suitably disposed of according to my wishes, do hereby make & declare this to be my last Will and testament,

After all my just debts & funeral expenses are paid by my hereinafter named Executors from the most suitable and available funds that may come into their hands, either as cash in house or bank, notes due me or from the sale of such of my personal or real Estate not herein otherwise disposed of, and a sufficient amount paid to Mt. Olivet Cemetery Co. for perpetual care of my part of a lot therein, and 200 hundred dollars reserved for a monument or stone in said lot, all of which my Executors are authorized to have done; I will and bequeath as follows; viz:

Item To my two cousins; Elizabeth R. Zimmerman & Sarah P. Young, (wife of Dan'l J. Young) I will & bequeath \$100, Each.

Item To Each of my three cousins, Martha, Sallie and Lola, (Lee) daughters of my uncle Nathan O. Neighbors \$50 a piece.

Item To Each of the five children of Sarah P. and D. J. Young. Lolla (Anderson) Mattie B. (Shafer), -S. Price, -Margaret M,- and Albert Ervin Young I will 50 dollars

Item To Charles Albert Staley, son of Joseph E. Staley I will \$50, and 10 shares of stock of the Frederick & Catoclin Mountain Road Co. also the south Eastern part of a tract of land known as "The Straffer Lot", beginning for said part at the northwestern corner of Joseph E. Staley's land and running thence with a straight line to the turnpike in a continuation of the course of the North Western boundary of said J. E. Staleys land, containing about 7 acres.

Item. To Wm. Albert Zimmerman, who was partly raised in my family, I give and bequeath \$100, and the remainder or western portion of the said Straffer Lot, adjoining the land of Luther Staley, about 5 acres.

Item To Shain E. Baitary, whom I also partly raised I give and bequeath \$400.

All of the foregoing money bequests not herein other wise specified shall be paid by my Executors to the respective legatees within 3 years of my decease, during which time, if deemed adviseable by my Executors and there be not sufficient funds on hand to pay these bequests, any part, or all of my stocks and interest bearing securities may be let run to meet these payments and it is my desire (if compatible with law) that my estate shall pay all the taxes &c on these legacies so that each may receive their respective bequests net, and in full.