June Term 1829

And proved the dying intestate of said Cole and that Ann Cole (afterwards Ann Clarke) was his heir at Law and then produced and read the last will of said Ann Clarke which is as follows to wit. In the name of God. Amen. The 19th day of August 1761. I. Ann Clarke being very ancient and weak in body but of perfect mind and memory, thanks be to God for the same and calling to mind the mortality of my body and knowing that it is appointed for all men once to die do make and ordain this my last will and testament that is to say principally, and first of all I give and recommend my soul into the hands of God that gave it and for my body I recommend to the earth to be buried in a christian like and decent manner at the discretion of my executors nothing doubting, but at the General Resurection I shall receive the same again by the mighty Power of God and as touching my worldly estate which it have pleased God to bless me with in this life. I give, devise and dispose of the same in the manner and form following. Item. that is to say I give and bequeath unto my dear and well beloved friend John Love William Mahew all my part of a tract of Land called the Inclosher lying in Prince Georges County which part — to contain sixty acres more or less to him and his heirs lawfully begotten of his body forever and if the said John Love William Mahew should be without heirs lawfully begotten then for it to fall to his brother Aaron Mahew and his heirs disannulling and revoking all other wills and testaments by me in any way before mentioned ratifying, and confirming this and no other to be my last will and testament. In Witness whereof I have hereto set my hand and seal this day and year above written

Signed, sealed and delivered in the presence of us the subscribers. George his x mark Lowe. Robt H Clarke. Thos Gorden. } Ann her x mark Clark (Seal)

Maryland Set. Prince Georges County Set. on the 22d day of Sept. anno Domini 1788 came Robert H. Clarke and made oath on the holy Evangelists of almighty God that he did see Ann Clarke late of sd. county widow sign and seal the within Instrument of writing and publish the same as her last will and testament that at the time of so doing she was to the best of his apprehension of sound memory and of a disposing mind and that in her presence and at her request he did sign the same as a witness when George Lowe and John Gorden the other two subscribing Witnesses did the same. Sworn before day and year aforesaid.

G. Scott. D. Conry. Pr. Geo.

Maryland Prince Georges County to wit. I. Samuel Tyler Register of wills for said county do hereby certify that the aforegoing is a true Copy taken from the original one of the records of the orphans Court for the county aforesaid. In Testimony whereof I have hereunto set my hand and seal of office this twenty sixth day of October seventeen hundred and ninety one (Seal)

Samuel Tyler Regr. Wills. P.G. Coty.

And further offered and read the deed of John L. W. Mayhew the devisee in the said will named to Elisha Berry, which is as follows to wit.

This Indenture made this twenty ninth day of November in the year of our Lord one thousand seven hundred and ninety two, between John L. W. Mahew

June Term 1829

of Loudon County in the State of Virginia and Elisha Berry of Prince Georges County in the State of Maryland. Witnesseth that the said John Love William Mayhew for and in consideration of the sum of three hundred and eighty pounds current money of Maryland to him in hand paid by the said Elisha Berry, at and before the ensealing and delivery hereof the receipt whereof the said John Love William Mayhew doth hereby acknowledge and therefrom acquit and discharge the said Elisha Berry his heirs executors and administrators and every of them by these presents hath given, granted, bargained, sold, aliened, released, enfeoffed and confirmed and by these present doth give, grant, bargain, sell, alien, release, enfeoff and confirm unto the said Elisha Berry, his heirs and assigns all that part of a tract or parcel of land called Inclosure, lying and being in Prince Georges County aforesaid, beginning at a Spanish oak the south east corner tree of a tract of land taken up by Andrew Taneyhill called the Head-ache, and running thence north twelve degrees, thirty minutes westerly, six hundred and forty four perches to a stump the remains of a white oak called Aching Head taken up by William Taneyhill and of another tract called Stoney Hill and running thence north by east sixty perches thence east south east seventy two perches then south thirty eight degrees east two hundred and ninety four and an half of a perch to a white oak the boundary of a tract of land called Good Luck and a boundary of a tract of Land called the Enclosure then south seventy eight degrees east one hundred and forty two perches then north sixty five degrees east one hundred and fifty five and an half of a perch to a stone fixed in the place where formaly stood a white oak a boundary of a tract of land called Good Luck and a boundary of a tract of land called the Inclosure thence south east fifty two perches thence east north east one hundred and sixty perches thence north by east one hundred perches thence south two hundred perches thence with a strait line to the beginning aforesaid containing hundred and thirty four acres of land more or less. To have and to hold the said Land and premises together with all and singular the improvements, conveniences and advantages to the said lands contained within the bounds and limits before expressed belonging, or in any manner of way appertaining to the only proper use and behoof of him the said Elisha Berry, his heirs and assigns forever and to no other use intent or purpose whatsoever. and the said John Love William Mahew doth for himself his heirs executors and administrators further covenant promise and agree to and with the said Elisha Berry his heirs and assigns all the aforesaid Land above mentioned with all the bounds and limits above mentioned or expressed and every part & parcel thereof against my heirs and assigns will warrant and defend forever. In Testimony whereof the parties to these presents hath set their hands and affixed his seal the day and year above written.

Signed sealed and delivered in the presence of Isaac Walker. Erasmus Gantt. } John Love Wm his 8 mark Mahew (Seal)

Prince Georges County. State of Maryland. the day and year above written