June Term 1832.

during her life twenty five dollars to commence whenever a division of the estate takes place a equivalent of her right of my real estate, and I do hereby appoint and direct my executors, whenever a division of my property is made to value all my lands so as to make one neat sum, and to take from one son and pay to the other sons to make all equal as to value, but not as to number of acres, and leving on each son an equal sum to pay whatever ballance of legacys may be unpaid, and should it so happen that my executors should not agree as to valuing my property the are to choose the third man to decide for them, but should the not be able to agree upon the man, the are hereby to name one, and to ballot for the choice, and when choosen and settled by them to be final and conclusive, and lastly I do hereby constitute and appoint my worthy friends Joshua Delaplane and Francis Spalding to be the sole executors of this my last will and testament, revoking and annulling all former wills by me heretofore made, ratifying and confirming this and none other to be my last will and testament - In Testimony whereof I have hereunto set my hand and affixed my seal this 9th day of December 1821. Thomas Harris (Seal)

Signed, sealed, published and declared by Thomas Harris the above named Testator, as and for his last will and testament in the - of us who at his request and - his presence have subscribed our names as witnesses thereto.

Jacob Sheets George Six, Thomas Clabaugh.

Frederick County to wit, On the 30th day of March 1823 there came Joshua Delaplane and Francis Spalding and made oath on the Holy Evangely of Almighty God, that the foregoing instrument of writing is the true whole will and testament of Thomas Harris late of Frederick county deceased, that hath come to their hands and possession and that they do not know of any other. Henry Steiner Regr.

Frederick County to wit: On the 30th day of March 1823, there came Jacob Sheets and George Six, two of the subscribing witnesses to the foregoing last will and testament of Thomas Harris late of Frederick county deceased, and made oath on the Holy Evangely of Almighty God, that they did see the Testator therein named sign and seal this will, that they heard him publish pronounce and declare the same to be his last will and testament, that at the time of his so doing he was to the best of their apprehensions of a sound and disposing mind memory and understanding, and that they together with Thomas Clabaugh the other subscribing witness respectively subscribed their names as witnesses to said will in the presence and at the request of the Testator, and all in the presence of each other.

Henry Steiner Regr.

State of Maryland, Frederick County to wit. I do hereby certify that the foregoing is a true copy from the original, recorded in Liber H.S. No 3 folios 119, 120 & 121 one of the record books of Wills in the office of the Register of Wills for Frederick county. In Testimony whereof I have hereunto set my hand and affixed the seal of office this 30th day of May 1829. (Seal) G. M. Eichelberger Regr. Wills for Fredk Co. Maryland

June Term 1838.

Exhibit B referred to in the within bill of complaint, contained in the following words viz.

According to direction of the last will of the late Thomas Harris, we the subscribers executors thereof do value the farms thereby devised to his four sons as follows to wit

The farm devised Thomas, we value at		$2550.00
The farm devised John we value at		2700.00
The farm devised George Crabs we valued at		1660.00
The farm devised Washington we value at		1250.00
	Net sum	$8160:00
	Each share	$2040.00

Thomas pays $510 (viz)	To George Crabs	$165.64 cts	$510:00
	To Washington	344.36	
John pays $660 (viz)	To George Crabs	$214.36	$660:00
	To Washington	445.64	
George Crabs receives $350. (viz)	From Thomas	$165.64	$350:00
	From John	214.36	
Washington receives $790 (viz)	From Thomas	$344.36	$790:00
	From John	445.64	

Given under our hands this 17th day of November 1837 Joshua Delaplane, Francis Spalding.

State of Maryland, Frederick county to wit. I do hereby certify that the foregoing is a true copy from the original recorded in Liber H.S. No 3 folio 370 one of the record books of Wills in the office of the Register of Wills for Frederick county. In Testimony whereof I have hereunto set my hand and affixed the seal of office this 12th day of July 1830. (Seal) G. M. Eichelberger Regr of Wills for Fredk county Maryland.

And the said cause so standing continued from Term to Term until February Term 1831, the following demurrer of the said John M'Kaleb was filed in the words and of the following words viz. The Demurrer of John M'Kaleb, one of the defendants to the bill of complaint of Margaret Harris against one Thomas Harris and the said John M'Kaleb in the Frederick county court, sitting as a court of Equity, exhibited. This defendant by protestation not confessing all or any of the matters and things in the said complainants bill contained to be true, in such manner and form as the same are therein set forth and alleged, doth demur to the said bill, and for cause of demurrer sheweth, that the said complainants has not by her said bill made such a case as entitles her in a court of Equity to any discovery from this defendant, or any relief against her, as to the matters contained in the said bill or any of such matters, and that any discovery which can be made by this defendant touching the matters complained of in said bill, or any of them, cannot be of any avail to the said complainant, for any of the purposes for which a discovery is sought against this defendant by the said Bill, nor entitle the said complainant to any relief in this court touching any of the matters therein complained of. Wherefore and for divers other good causes of demurrer appearing in the said bill, this defendant doth demur thereto, and prays the judgment