the same by reason of her death or the detention of my Executors under the discretion which I have hereby given them, It is my Will and Desire that the same shall be divided equally among her children. Item. I give & bequeath unto my half brother Levi Mapey the sum of One hundred pounds current money. Item. I give & bequeath unto my Uncle Joseph Pryor the sum of twenty five pounds current money. Item. I give & bequeath unto my Cousin Samuel Covington the sum of twenty five pounds current money. Item. I hereby direct my Executors hereafter named to educate & bind out to some good trade Elias Boulton the son of Caleb Boulton. and to pay him when he attains the age of twenty one the sum of one hundred & twenty five pounds. Item having purchased from John Mariner his share of the land which descended to him from his father Benjamin Mariner called Meanahs Chance & also from Richard Covington & wife her right of Dower in said land. I hereby direct my Executors hereafter named to purchase the residue from the respective heirs of the said Benjamin Mariner or to perfect the title to the said lands in such a manner as the law shall alow in trust for the following uses & purposes hereinafter mentioned that is to say in trust for the sole use and benefit of my said dear wife Elizabeth for and during her natural life, and I also give & devise to her for and during the term of her natural life, the following tracts of land Mapey Meadows & Widdows Lots and also one half of the Wood land which I purchased from Philip Reed and Daniel T. Mapey said half to lay adjoining the cleared lands of Daniel T. Mapey. It is my Will and desire that the said lands shall be a provision for my dear wife during her natural life but in case my Executors hereinafter named shall not procure the same so that my wife shall have full enjoyment of the same for & during her natural life, which said lands I hereby give her in lieu of her thirds of my real estate then in my Will & desire that my said wife shall have the thirds of all my real estate for & during her natural life. Item. I give & bequeath unto my dear wife Elizabeth one negro boy named Lynn until he attains the age of twenty five and one girl named Sandis until she attains the age of thirty, at which period this my Will & Desire that the said Negroes shall be free & discharged from all manner of service whatever. Also I give & bequeath unto my said wife the following property my chaise and three horses one of the value of eighty Dollars & the two others of the value of forty Dollars each, also two of my best beds, bedstead & furniture, also my Walnut Dining & Breakfast tables, and six Windsor chairs also two Milch Cows one sow six hogs & ten sheep, also all the Ware of every kind which stands in my Cupboard, upon Condition that she make good the value of the same out of her estate, to her son Joshua Mapey I give & bequeath the aforesaid property to her in lieu of her thirds of my personal estate at her decease.

Hemsley Mapey

Item. I hereby manumit, liberate set free and discharge from my this executors & administrators the following Negroes, Negro Andrew aged about forty years Negro Jim aged about thirty two years Negro Chester aged about twenty three years Negro Daniel aged about eighteen years one negro man named Perry, about twenty two years also one negro woman named Temple and all her children, and one other negro woman named Hannah & all her children. It is my Will & Desire that said Negroes serve my executors from my decease to the end of the year and receive for such service a reasonable Compensation I also manumit, discharge set free negro boy Stephen aged about thirteen years when he attains the age of twenty five years. It is my Will & Desire that my said negroes hereby manumitted shall not be molested & obstructed in their freedom by reason of any claims on my estate or legacies hereby created. Item. Should my wife be pregnant at my decease and have issue by me I give to such issue and to the heirs of such issue forever all the land hereby given to my wife during her natural life at her decease. In addition to which I give to such issue the sum of One thousand pounds It is my meaning & intention that the said issue shall have the above lands if the purchase of said lands shall be made by my Executors as heretofore mentioned, but in case the purchase shall not be made as heretofore mentioned then in lieu thereof I give & bequeath unto such issue one other sum of One thousand pounds current money. Item. If the purchase of said lands from the heirs of Benjamin Mariner shall not be made, then I give & devise all my right title & interest

in said lands and also Mapeys Meadows and that part of the lands purchased from Philip Reed & Daniel T. Mapey as heretofore mentioned to my Sister, Elizabeth Simmons and to the heirs of her body lawfully begotten and in case she dies without such heirs then I give and devise the same to my half brother Levi Mapey and to his heirs forever. Item. In case the purchase of said lands shall be made by my Executors from the heirs of Benjamin Mariner and my wife should have no issue by me I give & devise the said lands called Meanahs Chance, Mapeys Meadows, Widdows Lots and the half of the land as heretofore described which I purchased from Philip Reed & Daniel T. Mapey to my sister Elizabeth Simmons and to the heirs of her body lawfully begotten and in case she dies intestate without heirs of her body then I give & devise the same to my half brother Levi Mapey & his heirs forever. Provided always, still the meaning and intent of this devise that my said wife shall enjoy and hold the said lands as heretofore devised, agreable to the provision heretofore made for her during the term of her natural life if she so elects, but should neither of the above devises take effect in favour of my sister I hereby give her one hundred pounds. Item. I give & devise unto my half brother Levi Mapey all my lands lying & being on the West side of Unicorn branch now in the tenure and occupation of William B. Clark to him and to the heirs of his body lawfully begotten and in case he should die without heirs of his body as aforesaid I give & devise the same to my son in law Joshua Mapey son of William and to the heirs of his body lawfully begotten. Item I give & devise unto Joshua Mapey son of William Mapey all that farm and plantation on which I now reside and one half of the land which I purchased from Philip Reed & Daniel T. Mapey being the half which is next to George Palmers to him and to the heirs of his body lawfully begotten upon express condition that he convey all the lands which descended to him from his father to his sister Ann Mapey in fee simple, and in case he shall not convey the said lands to her, I give the one half the said farm & plantation to the said Ann and to the heirs of her body lawfully begotten, together with one half of the said land which I purchased from said Reed & Mapey & the remaining half of said plantation & lands as aforesaid purchased to my Cousin James Mapey and to the heirs male of his body lawfully begotten. but in case the said Joshua Mapey shall not make the conveyance to his sister Ann, so as to entitle him to an estate tail in the lands as described and should die without heirs of his body then I give & devise the same to my Cousin James Mapey and the heirs male of his body lawfully begotten. Item. I give & devise unto my daughter in law Ann Mapey to her & her heirs forever, all that tract of land called Friendships addition which I took up and which adjoins a tract of land called Friendship. Item. It is my Will & desire that in case my personal estate not heretofore specifically devised should be insufficient to pay all my just debts & pecuniary legacies that my Executors shall receive the profits of all my lands except those devised to my beloved Wife until they shall have obtained sufficient funds to pay all the aforesaid debts & legacies. Item. I give & devise all the rest & residue of my estate both real & personal unto my half brother Levi Mapey. Item. I constitute & appoint James Mapey my friend & Cousin & Joshua Mapey son of William Executors of this my last Will & Testament with full & ample power to perform the several duties & trusts created by this Will. In Testimony whereof I have hereunto set my hand & affixed my seal this thirteenth day of May in the year of our Lord one thousand eight hundred & four.

Hemsley Mapey (Seal)

Signed sealed published & declared by Hemsley Mapey the above named Testator as for his last Will and Testament in the presence of us and in the presence of each other, who at his request and in his presence have subscribed our names as Witnesses thereto.

Wm. Carmichael. James Cook. Jesse M. Kenwood

Whereupon the Defendant gave in evidence that a Caveat had been before that time filed in the Orphans Court of Queen Ann's County to the said paper, upon a full hearing of which it had been adjudged & determined by the said Orphans Court, that the said Will had impliedly revoked that it could not be admitted to probate as the last Will & Testament of the said Hemsley Mapey. And the Defendant further gave in evidence that an Appeal was prayed & granted from the said Judgment of the Orphans Court to the Court of Chancery, by which said Court