testament, revoking hereby and annulling all other and former wills, at any time by me heretofore made. Imprimis, I commit my soul to the mercy of the all merciful, and my body to the earth to be decently interred at the discretion of my executors hereinafter named. Secondly, I order and direct that my debts and funeral charges shall be paid and the maintenance of my unmarried children reasonably provided for during one year after my decease, first applying thereto the income if any of the property hereinafter specifically devised to them. Thirdly. I hereby release and discharge each and every one of my children from any responsibility or liability to account for anything advanced to or charged against them respectively by me. Fourthly. To my eldest beloved son Franklin Blackford, I give, devise and bequeath the ferry property formerly known as Swearingens Ferry, including the undivided moiety or half part which I have lately purchased from the widow and heirs of Thomas Van Swearingen, the purchase money of which is to be hereafter paid out of my estate at large, and I devise to him and his heirs therewith the landing in Virginia and the ground thereto attached and the ferry house, landing and lot on the Maryland side, together with all and singular the rights, easements, franchises and privileges thereto or to any part thereof annexed, and all the boats, apparatus and appurtenances thereto belonging, and also two slaves, Edmund and Julius, now engaged as ferry men. I also give, devise and bequeath to my said son ten acres of land contiguous to the ferry lot and adjoining the canal, embracing chiefly part of the orchard field to be laid out according to the judgment and discretion of my executors so as to throw what is called the Cottage to the home farm. I also give, devise and bequeath to my said son the house and lot in Shepherdstown, now owned by me, and an out lot near said town on the Potomac river; to have and to hold the said property and every part thereof to him and his heirs forever, in fee simple. Fifthly. To my dear son, Henry V. S. Blackford and his heirs, I give, devise and bequeath the home place or farm whereon I reside, excepting only the land herein before devised to my son Franklin, and the land herein after devised to my son William. And my will is that my said son, Henry, and his heirs shall hold the said land subject to and expressly charged with the payment to each of my daughters, Janet Smith and Helen Blackford, of the sum of two thousand five hundred dollars with interest, the interest payable annually and the principal in ten equal annual payments, reckoning from the date of my decease. Sixthly, I give, devise and bequeath to my dear son, William Moore Blackford, and his heirs my lower farm whereon Joseph Knode now lives, to wit: the three parcels of land at different times acquired by purchase from the heirs of Thomas Shepherd, D. Hays and the trustee appointed to sell the real estate of Jacob Bedinger. I also give to my said son, William, my gold watch and appurtenances. And I do hereby request my friend Joseph S. Mellick to act as the guardian of my said son William during his minority. And it is my wish that Joseph Knode shall have a lease of said farm for two years from and after the expiration of the present year, paying a share rent as at present, committing no waste, cultivating it in a farmer like manner, and seeding down no more land than the guardian of my said son shall prescribe, and removing no straw from the premises. Seventhly. I give to my daughter Janet Smith, her mothers gold watch and miniature, and to my daughter Helen, my family portraits. Eighthly. I authorize, empower and direct my executors to dispose of sell and convey all the rest and residue of my estate, real, personal and mixed, wheresoever and whatsoever the same may be, and from the proceeds of said sale to pay to the sister of my deceased wife, Miss Catharine Knode, during the term of her natural life the annuity or yearly sum of two hundred dollars, the same being given as such in consideration of the respect and affection I bear her as of her long continued kindness and attention in my family. Ninthly. I will order and direct that my said executors

shall pay also out of the said proceeds of my daughters, Janet Smith and Helen Blackford, the sum of nine thousand five hundred dollars, over and above the sum of two thousand five hundred dollars each heretofore charged upon the land devised to my son Henry, and I further direct that the said legacies shall bear interest until paid, after the expiration of one year from and after my decease. Tenthly. After the payment of all and sundry the legacies herein before bequeathed and the debts, charges, costs and expenses, I direct and require my said executors to divide and distribute the fund which shall remain equally among all my said five children, Franklin, Henry, William, Janet and Helen, or their legal representatives. Eleventh. It is my will and desire that care shall be taken to prevent any of my slaves from being sold out of the State or to slave traders or their agents unless for chase faults or to any but humane and good masters, and I authorize my executors to sell at private sale to any of my children any part of my personal property, but not at less than the appraised value thereof, nor without care that the price be adequately secured for the payment of the various legacies given in and by this will. Lastly I constitute and appoint my friend Colonel John Miller and my son-in-law Otho I. Smith, Executors of this my last will and testament. In Testimony whereof I hereunto set my hand and affix my seal this first day of November, in the year eighteen hundred and thirty nine.

Signed, sealed, published and de- } John Blackford, (Seal)
clared by John Blackford, of Washington County, in the State of Maryland, the above named testator as and for his last will and testament in the presence of us, who, at his request, in his presence, and in the presence of each other have subscribed our names as witnesses thereunto this 1st. day of November 1839

Richard Parran, Fred. Dorsey, Geo. Hughes.

Washington County, to wit: On this 19th Nov. 1839, came John Miller and Otho I. Smith and made oath, &c. that this is the true and whole will of John Blackford, dec. and that they do not know nor hath heard of any other. At the same time came Fred. Dorsey and Richard Parran, and made oath, &c. that they saw Jno. Blackford, the above named testator, 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 sound and disposing mind, memory and understanding, that they subscribed their names as witnesses to this bill at his request in his presence and in the presence of each other and that they saw the other subscribing witnesses do the same. Interpreted by.

Dan. Schnebly Reg.

Maryland, Washington County, to wit: In Testimony that the foregoing is a true copy of the original last will and testament of John Blackford, late of Washington County, deceased, of record and remaining on file in my office, (Seal) I, James Wilson, Register of Wills for said County, do hereunto set my hand and affix the seal of my office this 22d day of January, A.D. 1854.

James Wilson.

The plaintiff also gave in evidence a certain deed of bargain and sale from Henry V. S. Blackford to Franklin Blackford.

This Indenture, made this seventeenth day of June, in the year of our Lord one thousand eight hundred and forty six, between Henry V. S. Blackford and Eliza M. his wife, of Shepherdstown, Jefferson County, Virginia, of the one part, and Franklin Blackford, of Washington County, Maryland, of the other part, Witnesseth, that the said Henry V. S. Blackford and Eliza M. his wife, for and in consideration of the sum of seventeen thousand one hundred