credit are, and ought to be given as well in Courts of Justice as thereout
In Testimony whereof I hereto set my hand and affix the
(Seal) seal of the said Court this 15th day of February 1838.
Wm Brent, Clk.

A. An Extract from the last will and testament of Francis J Mitchell deceased bearing date the eighteenth day of March in the year of our Lord one thousand eight hundred and twenty five and proved and recorded in the office of the Register of Wills for Baltimore County on the second day of April in the year of our Lord one thousand eight hundred and twenty five viz. Item I give and devise to my son James Davidson Mitchell my house in Saratoga Street number seven, wherein I now dwell, and the Brick back building attached to and now used therewith, with all my furniture therein (now in use and attached and belonging to the same) with a complete sett of silver Tea service as there used by myself, also sixty shares of stock in the Baltimore Water Company other than those already devised to my sons Francis J and Henry S Mitchell also standing in the name of the President and Directors of the Bank of Maryland and to be in like manner released by my executor hereinafter named, and "also my negro woman Rachel and her daughter Ellen and negro man Dick Doyle now in Baltimore. To hold to him the said James Davidson Mitchell his heirs executors and administrators forever. In trust and confidence nevertheless and to and for the uses and to the ends intents and purposes" and subject to the provisoes and declarations hereinafter expressed and declared of and concerning the same that is to say. In trust that my daughter Sarah Elizabeth Mitchell be suffered and permitted for and during the time she shall remain single and unmarried subject only to the restriction hereinafter mentioned in the event of her joining the sisterhood at Emmittsburg or any other religious sisterhood, to use occupy and enjoy the property last above described or mentioned and the entire rents issues profits and income of the same to have receive take and apply to her separate use and benefit and in the event of her marriage. In trust for the proper use and behoof of the said Sarah Elizabeth her heirs executors administrators and assigns forever free from any control whatever of the said James Davidson Mitchell over the same and subject only to her use power and disposition. But whereas my said daughter Sarah Elizabeth Mitchell has heretofore expressed a desire and intention to join the sisterhood of St Josephs at Emmittsburg, Now it is hereby declared to be my will and desire in case she should at any time hereafter unite herself to that sisterhood or any other religious sisterhood that then her enjoyment of the entire property hereby devised in trust for her use and the rents issues profits and income thereof shall cease or be suspended and that in lieu thereof my said son James Davidson Mitchell pay to her annually the sum of two hundred dollars so long as she shall remain attached or united to the religious sisterhood of which she may become a member as aforesaid, and in the meantime that the surplus proceeds rents issues and profits of

the same estate be by the said James Davidson Mitchell invested in some productive fund or stock for the future use and benefit of the said Sarah Elizabeth Mitchell if she should at any time thereafter determine to leave the sisterhood to which she may become united or for the person or persons entitled to the same agreeably to the provision hereafter contained. And lastly it is declared to be my will and desire in the event of the death of my said daughter Sarah Elizabeth Mitchell without having been married or in case she should be united to any religious sisterhood as aforesaid for ten years in immediate succession that the said property so devised and bequeathed in trust for her as aforesaid and all interest accrued upon the stock or fund aforesaid as well as that stock or fund itself shall belong to and devolve upon my aforesaid sons Francis J and Henry S Mitchell or the survivor of them, their or his heirs executors administrators and assigns forever subject however so long as the said Sarah Elizabeth Mitchell shall live to the payment to her of the aforesaid annual sum of two hundred dollars and no more, and to for or upon no other use trust intent or purpose whatsoever. Item whereas my said son James Davidson Mitchell and my said daughter Sarah Elizabeth Mitchell are in right of their late mother who was the daughter of Doctor James Davidson late of Queen Annes County deceased entitled as tenants in common to a portion or share of the estate real personal and mixed, of which the said James Davidson died seised or possessed. Now it is my will and desire that my said son James Davidson Mitchell by deed duly executed and delivered relinquish and release to the said Sarah Elizabeth Mitchell his undivided interest in the same estate and property or in lieu thereof pay to the said Sarah Elizabeth Mitchell the sum of five thousand dollars lawful money for and with the payment of which said sum of five thousand dollars in case of his refusal or omission to relinquish and release as aforesaid I do hereby charge that portion of my estate and property so devised and bequeathed to the said James Davidson Mitchell for his own use and benefit. But if my said daughter should die without having been married or should be united to any religious sisterhood as aforesaid for ten years in immediate succession then it is my will and desire that the right estate portion and share which the said James Davidson Mitchell now has in the estate of his said Grandfather and which he may have released and relinquished agreeably to my will and desire herein expressed shall revert to the said James Davidson Mitchell his heirs and assigns. Item, It is my will and desire that my dear beloved mother Elizabeth Mitchell have and enjoy a home in my house in Charles County where she now resides that she have the use of my carriage and horses and the use and services of as many of my negro servants as may be necessary to her convenience and accommodation for and during the term her natural life and that she be furnished by my executor with all things necessary to the comfort of her old age, and suitable to her rank and