condition in life as heretofore she has been accustomed to — Item I constitute and appoint my son James Davidson Mitchell and my brother Joseph T Mitchell together with Robert D Sewall and William H Sewall the guardians of my sons Francis T and Henry S Mitchell and invest them with all necessary power and authority for the management of their education and the property hereby devised and bequeathed to my said sons Francis T and Henry S Mitchell during their minority or until they are married. — Finally I give and bequeath to my son James Davidson Mitchell his heirs and assigns the whole residue of my estate in whatsoever consisting and wheresoever the same may be, charging him with the payment of all my debts and I hereby constitute and appoint him the sole executor of this my last will and testament revoking and annulling all other and former wills by me at any time heretofore made. In witness whereof I have hereunto set my hand and seal this eighteenth day of March in the year of our Lord one thousand eight hundred and twenty five. — F. T. Mitchell (Seal)

Signed Sealed published and declared by the said testator Francis T Mitchell 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 thereto. —

Jos. T Mitchell
James Davidson
Joseph T Ogden

Baltimore County S.S. On the 2d day of April 1825 came Joseph T Mitchell, James Davidson and Joseph T Ogden the three subscribing witnesses to the foregoing last will and testament of Francis T Mitchell late of said County deceased and made oath on the Holy Evangely of Almighty God that they did see the testator sign and seal this will that they heard him published 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 and that they subscribed their names as witnesses to this will in his presence at his request and in the presence of each other sworn to in open Court. —

Test. — L. H. Perine, Regr. —

Whereas I Francis T Mitchell of the City of Baltimore have made and duly executed my last will and testament in writing bearing date the eighteenth day of March in the year eighteen hundred and twenty five which said last will and testament and every clause bequest and devise therein contained I do hereby ratify and confirm (saving and excepting such clauses bequests and devises therein mentioned as are by me hereinafter revoked and made void and being desirous to alter such parts thereof and of making additions thereto do therefore hereby make this my Codicil which I will and direct shall be taken and held as a part of my said will and testament in manner and form following that is to say, The sixty shares of Water Stock given to my son James Davidson Mitchell in trust for my daughter Sarah E Mitchell I now give to my son James Davidson Mitchell to him and his heirs forever. — and whereas by my

said will I did leave the Guardianship of my two sons Francis T Mitchell and Henry S Mitchell to my son James D Mitchell, my brother Jos. T. Mitchell and my brothers in law Robert and William Sewall I do now hereby revoke the same and leave the entire Guardianship of my two sons Francis T Mitchell and Henry S Mitchell to my brother Joseph T Mitchell — In Testimony whereof I have hereunto set my hand and affixed my seal this twenty eighth day of March in the year eighteen hundred and twenty five. —

F. T. Mitchell, (Seal)

Signed sealed published and declared by Francis T Mitchell the above named testator, as and for a Codicil to 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 thereto. — A. B. G. Mitchell — James Davidson — Gunning T Bedford.

Baltimore County S.S. On the 2d day of April 1825 came A. B. G. Mitchell, James Davidson and Gunning T Bedford the three subscribing witnesses to the aforegoing Codicil to the last will and testament of Francis T Mitchell late of said County deceased and made oath on the Holy Evangely of almighty God that they did see the testator sign and seal this codicil that they heard him publish pronounce and declare the same to be a codicil to 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 and that they subscribed their names as witnesses to this codicil in his presence, at his request and in the presence of each other. — Sworn to in open Court. —

Test. — L. M. Perine, Regr. —

In Testimony that the aforegoing is a true Extract taken from Wills Liber W.B. No. 12 folio 106 &c being one of the Records in the office of the Register of Wills for Baltimore County. —

I hereunto subscribe my name and affix the seal of my office this twenty third day of May in the year of our Lord one thousand eight hundred and thirty seven. —

(Seal)

Test. — L. M. Perine, Register of Wills for Baltimore County. —

Charles County, to wit. The State of Maryland To the Sheriff of Charles County Greeting, We command you that you summon — Elizabeth A Mitchell Executrix of James D Mitchell — Best known that all excuses and delays set aside, she be and appear before the Judges of the next County Court to be held at Port Tobacco in and for Charles County aforesaid on the third Monday of March instant to answer the bill of complaint of Sarah E Mitchell Exhibited against her in the said Court as a Court of equity — Hereof she is not to fail and fail not at your peril and have you then and there this writ witness the Honorable John Stephen, Chief Judge of the first Judicial District of Maryland the 21st day of November Anno Domini 1837 — Issued the 10th day of March 1838. —

John Barnes, Clk. —

Endorsed, Non Est. —

Chas. W. Semmes, Shff. —