though she were sole, and that the said Eleanor Hendry shall have full power and authority to dispose of all the real and personal estate granted to her by this indenture, by her assignment under seal, in the presence of at least three creditable witnesses, if it be by an instrument in the nature of will, and in the presence of two witnesses, and acknowledged before two Justices of the Peace, if by a deed of gift, or of bargain and sale, all that part of a tract or parcel of land, called "The Resurvey on Daniels' Small Tract," conveyed to Singleton Burgee by a certain Thomas Worthington (of S.) by a deed bearing date on or about the 28th day of February 1835, and recorded in Liber I. S. No. 48. folio 298. &c., one of the Land Records of Frederick county aforesaid; also all that tract or parcel of land situate in the county aforesaid, conveyed to the said Jane Burgee by Mahlon Talbott, former Sheriff of Frederick county, by virtue of an act of Assembly passed on the 28th day of March, 1841, by his deed bearing date on the fourteenth day of July 1841, by whatever name the same may be called — the said several parcels of land being now occupied by the husband of the said Eleanor Hendry; together with all and singular the buildings, improvements and appurtenances thereunto belonging or in anywise appertaining; also the following named negro slaves, Tom, Stephen, Andrew, Alice, Betsey, Amey, Eliza, Harriet and Owen, the child of Alice, together with any other child or children of the said Alice, Betsey, Amey, Eliza, and Harriet; also all the stock and farming utensils which I have heretofore loaned to the said Charles Hendry.

To have and to hold the said tracts or parcels of land, and all and singular the premises hereby granted and

confirmed, or mentioned or intended so to be, with their and every of their appurtenances, unto the said Eleanor Hendry, (though covert,) her heirs and assigns, to the only proper use and behoof of her, the said Eleanor Hendry, (though covert,) her heirs and assigns forever; and the said Jane Burgee, for herself, her heirs, executors administrators, doth hereby covenant, grant and agree to and with the said Eleanor Hendry, her heirs and assigns, (though covert,) that she, the said Jane Burgee, and her heirs will warrant and forever defend by these presents, unto the said Eleanor Hendry, her heirs and assigns, the foregoing described and granted premises, with all the appurtenances thereunto belonging, against her, the said Jane Burgee, and against all persons claiming by, from or under her or her heirs.

In witness whereof, the said Jane Burgee hereunto subscribed her name and affixes her seal, the day and year first hereinbefore written.

Jane Burgee. (Seal.)

Signed sealed and delivered in presence of—
W. E. Bartgis,
Ezra Dadysman,

Which was thus endorsed, to wit:

State of Maryland
Frederick County, to wit:

"On this 19th day of July, 1841 appeared Jane Burgee, party grantor named in the foregoing indenture, and acknowledged the same to be her act and deed according to the true intent and meaning thereof; and we (being two of the Justices of the Peace of the State of Maryland, in and for Frederick county,) do also certify, that we are satisfied of our own knowledge that the said Jane