

This is the Last Will and Testament of me Samuel Shoemaker senior of Montgomery County in the State of Maryland First I direct that all my just debts be paid as soon as convenient after my death by my Executors hereinafter named Next I do declare my intention to be that all my children, namely, Isaac Shoemaker, David Shoemaker, Jonathan Shoemaker, Charles Shoemaker, Jesse Shoemaker, Samuel Shoemaker Junior, Edward Shoemaker and Rachael Shoemaker, and the children of my deceased son George Shoemaker, shall take equal shares in my real Estate, three of them in land and the residue in money as hereinafter directed, the children of my son George to take among them one share or ninth part My real Estate consists of about one hundred and two acres of land, two parcels of which I have sold to my sons Jonathan and Edward for forty dollars per acre, but which have not been conveyed to them, and the residue (except two acres thereof sold to my son Charles and another acre I meant to offer him) I intend my son Samuel Junior to take at eighty dollars per acre if he shall think proper as hereinafter provided And I direct that the above prices shall be taken to be the value of the said respective portions of said real Estate by my said Children and Grandchildren in ascertaining the amount of the share of each therein, I hereby declare that my son Jonathan hath paid me the sum of six hundred dollars on account of the purchase money of the part I have sold him which sum shall be credited to him against such purchase money And I do hereby give and devise unto my said son Jonathan Shoemaker and his heirs all my estate and title in and to the two following pieces or parcels of land situate in Montgomery County aforesaid, part of my home farm, sold to him as aforesaid, namely, one piece being the north half of the field west of the Stone wall, and to be divided from the part sold to my son Edward by a straight line running westerly from the south corner of the said Stone wall to the Wood land; the other piece being wood land lying at the north west corner of the said farm, west of and adjoining the last named piece, and both pieces being bounded on the north by the land of N. Luffborough, and the wood lot being bounded on the south by the wood lot sold to my son Edward, the said wood lot containing about six acres and both together about twenty five acres but the quantity to be accurately ascertained: my said son Jonathan to take the same at and subject to the payment of the said price of forty dollars per acre, but to receive credit for the said sum of six hundred dollars And I do hereby give and devise unto my said son Edward Shoemaker and his heirs all my estate and title in and to the same two pieces of land following, part of said home farm, sold to him as aforesaid: to wit: one piece being the south half of said field of which the north half is above described, lying west of the fence dividing

it from the residue of the home place now occupied by me, and south of my son Jonathan's part and east of the wood land but binding on the same; and the other piece being wood land adjoining Jonathan's piece of wood and bounded by it on the north, and on the south by about ten and a half acres of wood reserved for the home place, Edwards' said piece of wood containing about six acres, and both parcels about twenty five acres, the precise quantity to be ascertained. And I devise the same to my said son Edward and his heirs as aforesaid subject to the payment of the said price of forty dollars per acre. I consider these parcels absolutely sold to my said two sons Jonathan and Edward at the said prices, and I declare that there is to be no option with them to take them or not at such prices. But I direct that my said son Edward shall have twelve months to pay such part of the said purchase money as will exceed the amount of his share of my said Estate at the value aforesaid with interest for the same till paid. My son Jonathan I consider has paid more than would have been due from him, if his share of my said real Estate had been deducted from his said purchase money, and will have something to receive. And I do also give and devise unto my son Samuel Shoemaker Junior and his heirs the residue of the said home farm now occupied by me containing about forty two acres on the east of the said portions of Jonathan and Edward above described, and also ten and a half acres or thereabouts of wood land at the south west corner of the said farm, south of Edwards' said wood land, and west of his half of the said field, subject as hereinafter expressed. And I do direct my said son Samuel to convey unto his Brother Charles Shoemaker two acres part of such residue at the north east corner of said farm, to be laid off there, including his house, as said Charles shall direct, he having purchased that quantity of me and paid for the same; and I direct that my said son Charles shall be permitted to take another acre, adjoining said two acres, where he shall direct, if he shall think proper to take the same, at the price of forty dollars for such acre: the same when paid or settled for, to be conveyed to him by said Samuel Junior. And I do hereby dedicate for a grave yard for my family the following piece of ground part of said residue: to wit. Beginning at a Stone n<sup>o</sup> 1 planted in the eastern outline of said farm thence perpendicular to said line N. 61 <sup>3</sup>/<sub>4</sub>° W 2 <sup>1</sup>/<sub>2</sub> perches to stone n<sup>o</sup> 2, N 28 <sup>1</sup>/<sub>4</sub>° E 2 <sup>1</sup>/<sub>2</sub> perches to stone n<sup>o</sup> 3. S 61 <sup>3</sup>/<sub>4</sub>° E 2 <sup>1</sup>/<sub>2</sub> perches to the aforesaid line to Stone n<sup>o</sup> 4, thence in a straight direction with said outline to the beginning stone n<sup>o</sup> 1, containing six and a quarter square perches, and which shall never be appropriated to any other purpose and there shall at all times be a convenient right of way to and from the same. And the residue of the said home farm and wood land (deducting the quantity aforesaid for Charles and for the grave yard) I authorise my said son Samuel to take at eighty dollars per acre if he shall think proper to do so, the quantity to be accurately ascertained. If he shall determine to take the same at that price, he shall

signify such determination to his Brothers in writing within one month from my death And in that event the said land shall be subject to such part of the said purchase money as will exceed his ninth part or share in my Estate until full payment thereof And I direct that my said son Samuel shall have four years to pay said purchase money in equal annual instalments with interest from my death. But if he shall decline to take the same at the price aforesaid, then the same shall be sold at public sale by my Executors as they or a majority of them shall think best, and the purchase money divided And all my said other children, namely, Isaac, David, Charles, Jesse and Rachael, and my grand children the children of my son George, shall receive their equal shares of the said lands as aforesaid, at the value and prices aforesaid, in money, from their said Brothers, as the same shall become payable, according to the periods of credit above specified, with interests thereon from my death until paid, the same to be vested interests in them from that period And as to all the devises and bequests herein after and herein before made to and in favor of all my said children and grand children, I do direct that if any of them shall die in my life time, the share of such so dying shall go to the children or proper representatives of them him or her so dying in my life And I further direct that my said sons Jonathan and Edward shall forever have a right of way from their said parcels across the residue of the home place in front of the house as now used; and that my said son Samuel, or whoever may become the owner of said residue of said home place, shall have a similar right of way for ever across the said portions of Jonathan and Edward to said wood lot of about ten and a half acres at the south west corner of said farm. And as to all my personal Estate of every kind, I direct that the same shall be sold by my Executors, and the proceeds divided equally into nine parts one for each of my eight children, and the remaining ninth for the children of my said son George And I do hereby appoint my said Children Isaac, David, Jonathan, Charles, Jesse, Samuel Junior, Edward, and Rachael Shoemaker, joint Executors and Administrators of this my last Will and Testament, hereby revoking all former wills by me at any time heretofore made and declaring this to be my last In testimony whereof I have hereunto set my hand and seal this Fourth day of February in the year Eighteen hundred and forty six.

Signed sealed published and declared by the said Samuel Shoemaker senior the Testator or and for his last Will and Testament in the presence of us, who in his presence at his request and in the presence of each other have subscribed our names as Witnesses thereto

Samuel Shoemaker 

Levi A. Beall  
 J. H. King  
 A. C. Beall