ers to us & our Heirs or such Officer or Officers as shall be appointed by us & our Heirs from time to time to Collect & receive the same shall accept in Discharge thereof at the Chiefe of us and our Heirs or such Officer or Officers as af^d Provided that the Sum for a fine for Alienation shall not be paid to us and our Heirs or such Officer or Officers af^d before such Alienation & the said Alienation Entered upon Record either in the Provincial Court or County Court where the same Parcell of Land lyeth within one Month next after such Alienation then the said Alienation shall be Void & of no effect Given Under our Great Seal at Arms thirteenth Day of September Anno Dom^i Seventeen hundred & twenty Seven Witness our Dear Brother Benedict Leon^d Calvert Esqr Capt. Gen^ll and Chief Governour in over our said Province of Maryland Chancellor and Keeper of the Great Seal thereof —

Great Seal in Wax appendant

Benedict Leon^d Calvert Chancellor

And likewise the said Plff by his Attorney af^d further gave in Evidence to the Jurors the Letters Testamentary on the Estate of the said James Carroll under the hand & Seal of John Beale Esqr Deputy Commissary of Ann Arundell County together with a Copy of the Will & Codicil of the same James Carroll as the Last Will & Testament of the said James Carroll with the Probate to the said Will & Codicil Annexed to the said Letters as follows Viz^t

Joh^n Beale Dep^ty Commissary All Coby

Seal

Maryland ss. Charles Absolute Lord and Propry of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c^a To all persons to whom these presents shall Come Greeting in our Lord God everlasting Know ye that upon the 27th Day of June 1729 before John Beale our Deputy Commissary of Ann Arundell County Constituted and appointed according to Act of Assembly by our Judge for Probate of Wills & Granting Administrations the last Will & Testament of James Carroll late of Ann Arundel County Gent deceased together with his Codicil was before our said Deputy Commissary at Annapolis in Common form proved approved and Exhibited Copys of which are to these presents Annexed & Administration of all & Singular the Goods Chattells and Credits of the said Deceased which in any manner of way concern him or his said Testament or Codicil was granted & Committed unto Charles Carroll Esqr John Diggs and Doctor Carroll three of his Executors they having first taken their Oath well & truly to administer the said Goods Chattells & Credits According to the Tenor & Effect of the said Testament and according to Law & make or Cause to be made a true & perfect Inventory of all & Singular the Goods Chattles & Credits which were of the Deceased at the time of his Death & which have may or shall come to their hands possession or knowledge appraized in Money & also just & true Account of Executorship in Administration therein touching which Inventory they are presently assigned to perform or at furthest at or before the third Day of October now next Ensuing & an Account within twelve Months from the Date of these Presents given at Annapolis under Seal of Office &c the 3^d Day of July in the 11th Year of our Dom^n & Annoq; Dom 1729.

Which Copy of the Will & Codicill mentioned in the aforegoing Letters are as followeth — (Viz^t)

IN the NAME of God Amen I James Carroll of Fingal in All hallows Parish in Ann Arundell County being thro' the Mercy of God in perfect health do Declare what follows to be my Last and Testament hereby revoking all other wills heretofore by me made first I humbly Recommend and give my Soul unto my heavenly Father thro' whose Mercy and the Merits of Christ Jesus most humbly hope for Eternall happiness Item I Desire that all my just Debts (which are few and small) be punctually paid Item I give to forty Such poor Mendicants of & in the Parishes of English and Lorrah in Lower Ormond in the County of Tipperary in the Kingdom of Ireland as my Executors or Such as they or the major part of them shall appoint to distribute the same shall Seem proper Objects of Charity the Sum of ten Shillings Irish

(Money)

Money a peice I give to Such twenty poor people in this Parish of my Residence and the Parish where my Quarters are in Prince georges County Such as my Executors shall judge to be in Necessity two Barrells of Indian Corn a peice at times at their Discretion within four years after my Decease to be Delivered if applyed for at my Dwelling place or Carroll burgh or part at One or part at another at the Discretion of the Proprietors of those places — I Desire that Such of my Apparell as may be fit (and not Indecent) for my Slaves towards may be given to Such of them as are honest & have a Sense of Christian Duty as Tombey Jack, Jerry Dick &c & that means may be used (at the Discretion of my Devisees) to instruct them all in the Christian Doctrine Item it is my Will & Desire that with all Convenient Reasonable Speed my Debts be received or Secured after the best manner my Executors can I Impower my Executors or the major part of them to Sell & dispose of all my Lands in Baltimore County — my Land in Somerset County all my Lands in Calvert County also all my Mortgages and Bills of Sale with Conditions for Redemption also my two Lots in Annapolis lying near the head of a Creek & which I bought of John Hammond the Neat Produce or amount of my Debts af^d the Sale of my Lands Lotts the Mortgages and bills of Sales af^d I Dispose of & in the following Manner Imprimis I appoint that out of it and my Money Lodged or that shall be in the London Merchants hands which is to be understood as part of my Outstanding Debts my Debts be satisfyed after which I Desire and appoint that One thousand pounds Sterling of the Produce af^d be applyed towards the Education of my Nephew & Heir Apparent Anthony Carroll my Brother Daniels only Son to be laid out in the Manner herein after mentioned that is to say One hundred pounds Sterling to be laid Down in Consideration of all Charges in going third his Lower Studys & at the Discretion of my Executors or the Survivors of them Such Sum annually afterwards as may enable him to go third his Higher Studys & so on third a Course of the Study of Lawe Physick but Physick rather as it may afford the least Temptation to change his Religion & in Case my Nephew shall Dye or prove unsuscptive of Learning or prove incorrigible or want application in any of the Courses af^d before he attains to twenty one years then it is my Will & Do require my Executors to Discontinue the application of Money to his Education or if he prove Vicious to also Discontinue in which Case it is my Will that the Money designed for his Education be applyed to the Education of my Nephew James Carroll Son of my Brother Michael if he shall not Exceed Sixteen years of Age at my Death but if he shall be be laid out on Such of his Brothers as shall not be Sixteen years at the time of my Death I do recommend to my Executors to place the One thousand pounds Sterl^g af^d after a Secure Manner at Interest so as the Interest may Defray the Ordinary Annual Stipends necessary to be Expended for his Education & further it is my Will that in Case any friend or Guardian hinder or Obstruct the Childs being Educated in Such place & after Such Manner as my Executors shall think fit that in Such Case the Money be not laid out on him but be applyed as in Case of his Death as above and that any Dispute should hereafter arise about this point between my said Cousin Anthony or his Guardian & my Executors So great is my Confidence in my Executors that I leave it to them to apply the said Thousand pounds & its Interest at their Choice to my Nephew James or Anthony it being my Will that whatsoever Child or Children of my Brothers receive benefit by this Will be Untill they go and pass third their Studys already mentioned at the Intire Discretion of my Executors or the Survivours of them it is my Will in Case my Nephew Anthony af^d live & do not forfeit my good Designs for him by any the Means above mentioned that after his passing through his Studys af^d he leave the thousand pounds af^d or so much as shall remain unexpended on him I give to my Cousins Dominick Anthony & Daniel Carroll Sons of my Brother Michael five hundred Acres of Land Each to them Severally & their Heirs & Assignes Severally for ever out of a Tract of Land called Rock hall lying at Pipe Creek the remaining three hundred & Eighty I bequeath to my Sister Johanna Carroll & my Cousin Mary Higgins to them & their Heirs Severally for ever Notwithstanding

(what)