or for any part or share or Legacy due to him from my Mothers Estate or does in no-
manner or wise make any demand Due from me as Executor of my said Father
or Executor of my said Mothers Estate but does & will in all things & matters relating
thereunto Consent Stand & abide by the Settlement I have already made the rest
& upon that Condition & Complyance I do hereby give unto my said Brother if he
returns into this Province in three Years & as is not in Holy Orders Negro George &
his two Sons Sampson & his Wife & Kate Tom Lyons Daughter to be delivered him
immediately upon his settling here & at the Division of my Estate I give him upon
the aft Conditions an Equal Share with the rest of my Brothers Item in Conside-
ration that I have desired my Brother Mr Benjamin Hall to be one of my Execu-
tors to gratify him for his trouble therein I do hereby give unto his Son my
Cozen Francis Hall fifty Acres of the Land I lately bought of Mr Richard Harrison
to be laid out for him next adjoyning unto the land my said Brother Hall now
Dwells upon which I give unto my said Nephew Francis Hall when he shall be
twenty one Years old to him & his Heirs for ever. Item if there now remains any
right title Claim or Demand in me unto the Land Negroes Stocks &c bought
by me of my Cousen Charles Rye I do hereby Transfer & give the same unto
my Br Wm Diggs his Heirs & Assigns for whose use I bought them he discharging
those Engagements I made with Capt John Hyde Merchant in London upon that
account Item It is my Will & Desire & I do hereby order & appoint that after the
payment & Discharge of all my just Debts & the Legacies herein mentioned
that all my Negroes Stock & remainder of my Personal whatsoever be Equally divided
by my Executors hereafter named (by lot if it can not be otherways agreed) among
my Brothers Charles Diggs William Diggs John Diggs (and Dudley Diggs upon the
Condition before mentioned only) Sister Mary Diggs & a share to be amongst my
Sister Neals Children that is to say one half of such share or part unto my Niece
Mary Neale & the other half amongst her Brothers Equally Item It is also
my will & Desire that after the payment of all my just Debts as aft & Legacies that
my Tracts of Land which Coll Henry Darnall left me by Will one whereof he had
of Nathan Vickers & the other of Peter Joy & the Remainder of that Tract I bought
of Mr Richard Harrison to be sold & the Produce made into ten Equal Parts or Dividends
one part whereof I give unto my Brother Charles Diggs one part unto my
Brother William Diggs unto my Brother John Diggs one part unto my
Sister Mary Diggs one part unto my Neice Mary Wharton one part one part
to be Equally divided amongst my Sisters Neals Children one part to my Neice
& God Daughter Elizabeth Rozer one part amongst the Poor at the Discretion
of my Executors one Part to Mr William Hunter Priest & one Part unto my
Brother Robert Brooke Priest to be by them put to such Pious uses as they shall
think Proper & I do hereby authorize & Impower my Executor hereafter named
to sell & Dispose of the said Tracts of Land for the aft Intents & Purposes And I do
hereby nominate ordain make & appoint Executors of this my last Will & Testament
my Brothers Charles Diggs William Diggs Henry Darnall Anthony Neale &
Benjamin Hall Earnestly requiring them to Comply with all the Matters &
things before mentioned In Testimony whereof I have hereunto set my
hand & Seal this 10th Day of April Anno Domini 1714 — Edward Diggs (Seal)

(acknowledged)

Acknowledged & Declared before us. Tho Brooke. Clement Brooke, Randall Garland
his O Mark. Anthony Hudson his ⋈ Mark John DeWitt ⋈ his Mark.
April 19th Day 1714 then Came the within named Mr Clement Brooke & Anthony
Hudson & John Dewitt Witnesses to the within Will & Did make Oath upon the Holy
Evangelists that they did hear the Deceased Mr Edward Diggs acknowledge the within
to be his last Will & Testament & at the same time he was in his perfect Sense to the
best of their knowledge. Sworn before me Benj: Berry Dep:ty County Pr: Georges Coty
Mr Clem: Brooke one of the Subscribing Witnesses to the within Will & one of the
Persons who proved the same in the manner it is proved before Benjamin Berry
the Depty County further Deposes on the Holy Evangelists that he saw & heard the
Testator seal Declare & Deliver the same as his last Will & Testament & that the this
Deponent & the other Witness to the said Will subscribe as Witnesses thereto in the
Presence of the Testator & at his request to the best of this Deponents knowledge.
Sworn to before me August 25th 1736 DDulany County.

They likewise find that the Lessor of the Plff is Heir at Law to the said Edward Diggs & that
three of the Executors named in the Will of the said Edward Diggs (to wit) Henry Darnall
Benjamin Hall & Anthony Neale did on the Twelfth Day of May 1711 before William
Bladen Esq then Commissary General renounce & relinquish the Executorship of
the said Will & that on the 19th Day of April 1711 Letters Testamentary of the Goods
Chattles & Credits of the said Edward Diggs were duly granted to Charles Diggs the
Lessor of the Plff & William Diggs the other two Executors in the said Will named
And the bond & release Executed by the Lessor of the Plff to the said William Diggs are
as follows Maryland ss. Know all Men by these presents that I Charles Diggs of Charles
County Gentleman do acknowledge my self to owe & stand justly indebted unto Wm
Diggs of Prince Georges County Gent in the full & Just Sum of Two thousand Pounds
of good & Lawfull Money of Great Britain to be paid to the said William Diggs his
Heirs Exs Admrs or Assigns to the which Payment well & truly to be made & done I the
said Charles Diggs do bind my self my Heirs Exs & Admrs firmly by these presents Sealed
with my Seal & Dated this Seventh Day of September 1714.

Whereas the above bounden Charles Diggs is by the last Will & Testament of his
Brother Edward Diggs late of Prince Georges County deceased nominated & thereby
appointed one of the Executors of the said Will & has past his bond in the Commissary Office
for the Due Execution thereof but in Consideration the above named William Diggs
has given to the said Charles Executor Security that may indemnify the said Charles
from the said Bond past in the Commissary Office as aft Also in Consideration of the
said Charles living remote from most of the Plantations & other Effects of the Estate of
the Deceased as aft he is desirous to discharge himself of the Trouble of the said Executorship
as much as in him lyes to invest his Brother the above named William Diggs
therewith. Therefore the Condition of the above Obligation is such, that if the above
bound Charles Diggs his Heirs Exs Admrs & Assigns & every of them do for ever remise
release & for ever quit Claim unto the above named Wm Diggs his Heirs Exs Admrs
& Assigns & every of them all his or their Right title & Interest of & to the said Executor-
ship of the Estate aft & all & every the Profits & Advantages that may hereafter be
claimed challenged or Demanded by the above bound Charles Diggs his Heirs Exs
Admrs or Assigns for or any ways on Account of the said Executorship Either in Law

(or)