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Anne Darnall, Elizabeth Darnall and Susannah Darnall but that out of Ann's part there be previously deducted fifty dollars out of Nicholas's part two hundred and seven dollars out of Henry's part forty five dollars and out of Richard Bennet's part forty five dollars which several sums they have heretofore respectively received from me, and I expressly declare that all the negroes which my son ~~Son~~ Nicholas and daughter Anne now have in possession heretofore received from me are and must be considered as part of my estate my will further is that my four sons in consideration of their having the whole of my real estate pay to my three daughters immediately after the death of my wife, one thousand dollars in equal portions - My will is that all the residue of my estate of what kind or nature soever shall be equally divided among all my said children and if any of them should die without lawful heirs of their bodies the part or portion of those so dying shall devolve on or accrue to the survivors equally and if I should acquire at any time hereafter any land in addition to what I now possess my will is that the land thus additionally acquired be assigned to my daughters instead of the pecuniary legacy heretofore bequeathed to them and if any of them should die without lawful heirs of their bodies the proportion of those so dying shall accrue to the survivor or survivors of them equally - My will and desire is that so long as any of my daughters remain unmarried they shall be furnished by which soever of my sons they may choose to remain with with home and board free of expense or charge - It is my express desire and special injunction that no part of my personal property be sold or disposed of out of the family but that the same be distributed among the legatees in kind according to the valuation and appraisement of two disinterested and judicious men, and if any inequality in value should occur in the lots or parcels into which the same may be divided or arranged those of my children who may receive the most valuable parcels shall immediately make up the deficiency to those to whom the least valuable lots may be assigned in money - Lastly I do hereby constitute and appoint my sons Francis L. Darnall Nicholas L. Darnall Henry Bennet Darnall and Richard Bennett Darnall joint executors of this my last Will and Testament and they or which soever of them may act shall charge or receive no commission or compensation for their trouble but shall merely reimburse themselves the lawful fee which may accrue on their administration, and I do hereby revoke and annul all former Wills or instruments purporting to be such and publish and proclaim this as my only last Will and Testament - In testimony whereof I do hereto set my hand and affix my seal this twenty seventh day of February eighteen hundred and thirty five.

Signed sealed published delivered and declared by the above named testator as and for his last will and testament in presence of us the subscribers, who in his presence and at his request and in the presence of each other hereunto set our hand and subscribed our names as witnesses - Robt. G. Pindell, Charles E. Bevan P. H. O'Reilley -

Philip his + mark Darnall - (Seal)

Anne Arundel County Sct: The 4th. day of June 1835 - Then came Charles E. Bevan and Patrick H. O'Reilley two of the subscribing witnesses to the aforegoing last Will and Testament of Philip Darnall late of Anne Arundel County deceased and made oath on the Holy Evangely of Almighty God that they did see the testator therein named sign and seal this Will and that they heard him publish 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 appre-

December Term 1842.

hensions of sound and disposing mind memory and understanding and that they together with Robert G. Pindell the other subscribing witness respectively subscribed their names as witnesses to this Will in the presence and at the request of the testator and all in the presence of each other - Saml. Brown, Regr. Wills A. A. County

Anne Arundel County Sct: The 28th. day of September 1835. Then came Francis L. Darnall Henry Brent Darnall and Richard Bennet Darnall and made oath on the Holy Evangely of Almighty God that the aforegoing instrument of writing is the true whole and last Will and testament of Philip Darnall late of Anne Arundel County deceased that hath come to their hands and possession and that they do not know of any other -

Sept. 28th. 1835, I decline serving as executor of Philip Darnall's Will - Nicholas L. Darnall -

Saml. Brown Regr. Wills. A. A. County.

In Testimony that the aforegoing is a true copy taken from Liber J. J. S. No. 1 Folio 222 one of the Records of the Register of Wills office for Anne Arundel County - I have hereunto set my hand and affixed my seal of office this sixth day of February in the year of our Lord 1841 - (Seal)

Saml. Brown, Jun. Regr. Wills A. A. County.

And thereupon writs of subpoena were accordingly issued against the said defendants as prayed for by said Bill - And afterwards to wit: on the thirteenth day of February eighteen hundred and forty one came the defendants Anne Darnall Elizabeth Darnall and Susanna Darnall in proper person and filed in the said cause their answer to the said bill in the words following to wit:

To the Honorable Theodorick Bland Chancellor - The joint and several answers of Anne Darnall Elizabeth Darnall and Susanna Darnall of Anne Arundel County to the bill of complaint of Nicholas L. Darnall and Richard B. Darnall against them and others in the Court of Chancery exhibited - These defendants for their answer to so much of the said Bill as they are advised it is material for them to answer unto answering say that they admit the facts and statements in the said bill contained to be true and they have no objection to a partition of the real estate in the bill mentioned according to the prayer thereof provided their rights as legatees having a charge on the said lands and their right of a home and board free of expense or charge while they continue unmarried as given to them respectively in the said will be secured to them and they pray to be hence dismissed with their costs &c.

Ann Darnall
Elizabeth Darnall
Susanna Darnall -

Witness,
Walter C. Watkins

And afterwards came the sheriff of Anne Arundel County and made return of the subpoena against the defendants Henry B. Darnall, Anne Darnall Elizabeth Darnall and Susanna Darnall thus endorsed "N.S." -

And afterwards came the sheriff of Prince George's County and made return of the subpoena against the defendant Francis L. Darnall thus endorsed "Lardy" - And afterwards at the next Term of the said Court to wit March Term 1841, came John Johnson, Esquire of counsel for the defendants Francis L. Darnall and Henry B. Darnall and in their behalf appeared to the said suit and filed in the said cause their answer in the words following to wit:

To the Honorable Theodorick Bland, Chancellor of Maryland - The joint and separate answer of Francis L. Darnall and Henry B.