thereof part of Nolley Hall upon the heirs of my Said Wife which hath
Invested me with a Title to dispose of the Aforesaid Land Exactor which
I have Sold two hundred and Sixteen Acres part of the Said Land to my
Brother William Diggs and we Jointly Executed mutual Deed and have
Received a Valuable Consideration for the Same from my Said Brother
William Diggs who hath divided the Said Land to his Son Edward Diggs
in his last Will and Testament I do hereby Bequeath the Said Land
Containing two hundred and Sixteen Acres part of Exactor to the Said
Edward Diggs and his heirs for ever

I Give all the Remaining part of my Estate / after my Debts are paid / to
my Son Josiah

I do hereby Constitute and appoint my Sons in law John Parnham
and Joseph Pile my whole and Sole Executors of this my Last Will
and Testament and it is my desire that there be no Funerall Kept
for me but to be interred According to the Rights of the Church. In
Witness whereof I have hereunto Set my hand and affixt my Seal this
26th day of November 1745 — Hll: Wharton (Seal)

Signed Seal'd & delivered
In Presence of us —
John Lewellen —
William Colly —
Wm W. Wincot his Marke —

To which will was the following
Probat thus written Viz.t

St Mary's County ss. February 4th 1745/6 —
Then John Lewellen and William Wincot two of the Subscribing
Witnesses to the Foregoing Will being duly and Solemnly Sworn on the
Holy Evangels of almighty God Depose and Say that they Saw the
Testator Henry Wharton Sign the Foregoing Will and heard him
Publish 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 Apprehension
of Sound and disposing mind and memory and that they Subscribed
their respective Names as Witnesses to the Said Will in the presence
of the Said Testator and at his request and that they Saw Wm Colly
Sign at the Same time as a Witness in the Presence of the Said Testator

Sworn to Before me
Thos Hisquith Dep.ty Comry
of St Mary's County

9 Sides

In the Name of God Amen

I John Fanning of St Mary's County and Province of Maryland
being Sick and weak of Body but of a Sound and perfect memory thanks
be to the Aboundant mercy and Goodness of Almighty God for the Same
do Constitute and appoint this to be my last Will and Testament in
form and manner following

Imprimis I Recommend my Soul to God who gave it and my Body to the Earth
from whence it was taken in hopes of a Joyfull resurection at the Last day, to be
decently buried at the Direction of Mary Fanning my dear and loving Wife
and my Worldly Estate in form and manner following

Item I Give and Bequeath to my Wife Mary Fanning half of my Estate Real and
Personal during her Natural life and After her decease to be Equally divided
Between my three Children, Josias Fanning, John Fanning and Elizabeth
Fanning, and I do Appoint mary Fanning my Wife the whole and Sole
Executrix of this my Last Will and Testament

Item I Give to Josias Fanning and John Fanning my Sons all my Land to be Equally
Divided between them, and that my Son Josias Fanning have half thereof as soon
as he is at age and if my Son Josias Fanning Should dies without heir then to
my Son John Fanning, and if my Son John Fanning Should dies without heir
then to my daughter Elizabeth Fanning and if She Should dies without heir
then to my Sister Elizabeth Wakefield and her Heirs for Ever — Witness my hand
and Seal this first day of december in the year of Our Lord 1745 —

Signed Sealed and Delivered
In Presence of the
George Mills
Thomas Noble
Sal. Fyffe

John his ✗ mark Fanning (Seal)

On the Back of the aforegoing Will was thus Written

St Marys County ss. (Dec.r) February the 4th 1745/6. Then George Mills
Thomas Noble and James Fyffe the Subscribing to the foregoing Will being duly
and Solemnly Sworn on the holy Evangels of Allmighty God Depose and Say
that they Saw the Testator John Fanning Sign the foregoing Will and heard
him Publish 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 Apprehension
of Sound and Disposing mind and memory and that they Subscribed their
respective Names as Witnesses to the said Will in the Presence of the Said
(Testator)