

have hereby accepted and taken upon the said Charles the Office & Burthen of the Administration of all the rights and credits debts and duties of said Philip Estate which were undistributed by said Charles as aforesaid and which remain still to be adjusted and closed by him & provided always and it is further agreed by and between the said Charles & the said Legatee and Mrs Rachel Hammond that in case any demand or debts be hereafter by any person whatsoever brought and received against the Estate of said Philip Deceased or against said Charles as his Executor or the Legatee aforesaid as having the management of the same undistributed effects of said Philip Estate that then in such case each and all of the parties aforesaid shall sustain and pay their ratable and proportionable part of said debts and costs in Testimony of this their agreement the parties aforesaid have hereunto each and all of them mutually and interchangeably set their hands and Seals this tenth day of October Anno Domini one thousand seven hundred and seventy two

signed sealed and delivered in the presence of

Thomas Miller
Elijah Robinson

Witness & acknowledged by Mathias Hammond in the presence of

Witness

Charles Hammond
Rachel Hammond
Philip Hammond
Benjamin Hammond
Elijah Hammond
Mathias Hammond

To all to whom this present writing shall come

I Charles Hammond Junr of Ann^{is} County Desc^d Greeting

Whereas Philip Hammond Esq^r my father deceased did on or about the 6th day of June 1763 make and execute his last Will and Testament in writing for record unto the same (as given in the Prerogative Office of this Province being had) may appear wherein & whereby among certain Legacies given and bequeathed by said Deceased he did give & bequeath unto his said son Charles Hammond all the cargo & goods then in the said Deceaseds Store in New Town together with all the outstanding money & debts occurring thereon willing and expressing the same to be as a consideration for the trouble his said son Charles should take upon himself in settling & managing the Estate of said Deceased and collecting his outstanding money and debts and in lieu & bar of all and every charge of commission claimable or to be claimed by his said son for transacting & completing the business of said Deceaseds Estate & making what payment he may be due therefrom by and in Virtue of his said last Will or otherwise & that he should have and receive as bequeathed his said son as a part together with the outstanding money and debts occurring thereon as a part being afterwards found in the life time of said Deceased and before his decease which happened in the year 1760 in chiefest part sold and disposed of by said Deceased and the profits of such

such sale in general collect and consolidate with the assets of said Deceaseds personal Estate which by a subsequent Paragraph in his Will he having first made proper and available provisions for his eldest my mother being guardian & provided by him to be equally divided between his six sons & myself & brothers) meaning as aforesaid & expressing narrow knowledge that willing and desirous to comply with the words and meaning of said Deceaseds Will so far as the same may be collected or inferred from every part thereof and all circumstances whatsoever attending the same (and especially as a doubt hath been entertained and signified to me concerning the adoption of said cargo Legacy by act of the Deceased after the making of his Will aforesaid in selling and disposing of the said cargo and collecting the profits thereof in his own name and receiving them to his own use till the time of his decease in the year 1760 as aforesaid as also his inconsistency to charge my brother John Hammonds aforesaid in the Administration & Settlement of the Estate of said Deceased & the said Charles Hammond then for three and other good motives & considerations me hereunto inducing released and quit claimed and do by these presents for myself my Exors & Adors absolutely and freely release and quit claim unto my brother John Hammond aforesaid his Exors and Adors in trust to and for the use and benefit of the Deceaseds (herein after named) under the Will of said Deceased all the right title Interest Estate claim and demand whatsoever which by Virtue of said Will consequence of the bequest of to me of the cargo Legacy & the profits thereof as aforesaid of the said Charles Hammond have or may pretend to have present and exclusively of those among whom said Deceaseds personal Estate is and stands by his Will directed to be divided and shared as a part of in to an out of the whole or entirety of said cargo Legacy & the monies & debts accrued on to accrue therefrom having and receiving nevertheless to any self my Exors & Adors my equal & ratable part or portion of said cargo & the profits thereof as a part agreeable with the sense and meaning of said paragraph of said Deceaseds Will as aforesaid whereby he directs an equal division of his real as well as personal Estate not previously disposed of by him in his Will to be made between his six sons Charles John Philip Benjamin Elijah and Mathias Hammond and their respective heirs respectively their Exors &c. to be enjoyed by them as tenants in common &c. as is expressed in his said Will and that the said Charles Hammond do by these presents for myself my Exors & Adors do claim and renounce all other (larger or more exclusive) right of property to the cargo Legacy & the profits thereof as aforesaid than that of an equal part thereof with my brothers demise under the Will of said Deceased and whom I hereby covenant and agree shall ratably & respectively share and receive the same with myself declaring by these presents that neither I my Exors or Adors as aforesaid nor any of us shall and will at any time hereafter ask claim challenge or demand any other Interest in or benefit and advantage from the bequest of the said cargo Legacy & the profits thereof as aforesaid than that of an equal ratable sixth part of the same with my brothers as aforesaid and agreeable with the above mentioned paragraph in the Will of said Deceased and hereby further declaring as aforesaid that I nor any claiming under me shall or will ask require or receive any commission whatsoever or make or insist on any charge thereof (in the law and stead of the said cargo Legacy so renounced as aforesaid against the devisees or others by Virtue of any clause or construction of said Deceaseds last Will but from the whole of said cargo Legacy and the profits thereof and all actions suits