

4.

WILLS
LIB. D.M.P. N° 15.

Beginning 1884.

Charles Carroll of Carrollton
Last Will and Testament.

State of Maryland:

I, Charles Carroll of Carrollton, of Anne Arundel County, in the said State, do make this my Last Will and Testament, in manner following, hereby revoking all former Wills and Codicils by me made, that is to say.

To my Grandson Charles Carroll and his Heirs, I Do devise all my Island in Chesapeake Bay, called Poplar Island, also all my Lots and Houses in the City of Annapolis, (except the Houses and Lots hereinafter devised to my daughter Mary Eaton) also all my Estate, Plantation, or Tract of Land in the vicinity of Annapolis called "The Farm" with the two adjoining Tracts of Land called Edge's Advance and Edge's Addition; and all my Tract of Land in Anne Arundel County on the road from Annapolis to Elk Ridge, called "Part of Trusty Friend" or the Half Way House; I also Devise to him for his life, without impeachment of Waste, my Manor in Anne Arundel County called Doughoragen Manor, Doughoragen Manor Enlarged, with all my Lands adjoining thereto; and after his Death to his eldest Son lawfully begotten, whom he may leave alive; or in ventre sa mere at the time of his Death, and to the Heirs of such eldest Son for Ever; and in case my said Grandson should die without leaving any Son then alive, or of whom his Wife may be then pregnant, I then Devise all my said Manor and adjoining Lands to his eldest legitimate male descendant in the eldest Male Line who may then be alive or in ventre sa mere, and to the Heirs of such eldest Male Descendant for Ever; and in default of such legitimate male descendant of my said Grandson in the male line, I then Devise all my said Manor and adjoining Lands to my Daughters Mary Eaton and Catharine Harper, and their Heirs as Tenants in common, and to the children, Grand children, and descendants of my deceased Son Charles Carroll, and their Heirs as Tenants in common, in such manner as that

each of my said daughters shall have each ~~an~~ equal third part and the children of my said Son then alive, and the children or descendants of such of them as may then be dead shall have one equal third part among them, which last mentioned third shall be so divided that each child of my said Son then living shall have one equal part thereof in fee simple, and the children and other descendants of each child then dead one equal part equally among them in fee simple ~~per~~ ~~Stip~~, the children of each dead child, or descendant, standing in the place of their Parent, and taking the part which said Parent if alive would have had, equally to be divided among them. And if at the death of my said Grandson, my said Daughters or either of them should be dead, it is my Will, and I hereby Devise and Direct, that, their Children and Descendants then alive shall stand in their places respectively as to my said Manor and adjoining Lands and shall take to them and their Heirs as Tenants in Common, the parts respectively which my said daughters if alive would have respectively taken; the third part of each of my daughters in such case, being divided among her children, then alive, and the descendants of such of them as may be then dead in such manner as that each child then alive shall take in fee simple one Equal part of the said third, and the children and other descendants of each child then dead one equal part in fee simple equally among them ~~per~~ ~~Stip~~, the children of each deceased child or descendants standing in the place of their Parent and taking equally among them the Part which that Parent if alive, would have had. - I give to my Grandson Charles Carroll all the Slaves and other personal property which at the time of my death shall be on the Farm called the Folly (which is part of my Manor) that is to say, personal property which at the time of my death shall be commonly Employed or used on, or belonging to the said Farm commonly called "The Folly." - All the rest of the Slaves, Horses, Cattle, Hogs, Sheep and farming utensils which at the time of my death shall be on, and belong to, my aforesaid Manor called Doughoragen - Manor, or Doughoragen Manor Enlarged, I Direct to be divided into three equal parts, - one of which parts I give to my Grand-Son Charles Carroll, His Executors, Administrators and Assigns. Another Third Part to my three Grand-Children Charles Carroll Harper, Robert Goodloe Harper and Emily Harper, equally to be divided between them share and Share alike. - And the remaining third Part of the aforesaid Negroes, Horses, Cattle, Hogs, Sheep and Farming utensils I give to my four Granddaughters Mary Ann Patterson, Elizabeth Calton, Louisa Catharine Harvey and Emily M. Jarvis equally to be divided between them, and if either of my said last mentioned four Granddaughters should die in my Lifetime, without leaving issue living at my death, the share which would have belonged to her in case

she had survived me, shall go to her Surviving Sisters, and the descendants of such of them as may have died before me leaving issue equally to be divided between them, — the issue of such deceased Granddaughter to stand in the place, and be Entitled to the share that would have belonged to such deceased Granddaughter in case she had survived me. — All the rest of the personal property of every kind that may be on my said Manor at the time of my decease I give to my Grand Son Charles Carroll, His Executors, Administrators and Assigns. —

All my Wines in every other place except the said Manor I give to my two daughters and my said Grand Son, to be equally divided among them in such manner as that each shall have One third of each kind and quality. —

Whereas I hold Sundry Lots in the City of Baltimore leased out on Ground rent, by Leases renewable for Ever, and other Lots with Houses on them which are rented from year to year, and some vacant Lots yielding no rent, I Do hereby Devise to my friends John Mac Tavish of the City of Baltimore, and Lewis Neth of the City of Annapolis, and Richard S. Stuart of the City of Baltimore aforesaid, and to the Survivor of them, and to the Heirs of such Survivor, all my Lots and Houses, and Rents in the City of Baltimore, except my Lots and Houses fronting on Bay Street and Frederick Street, or either of them, between Second and Water Street. — I also give and bequeath to the said John Mac Tavish, Lewis Neth and Richard S. Stuart and the survivor of them, and the Executors and Administrators of such Survivor the following Slaves, that is to say, Luke, William, Richard, Dennis Carpenter, William, Robert, James, old Henry and her Grand children, Polly and her Daughter Sarah, and Katy and her children, Peggy and her children, and Nelly and her children which said Slaves now reside and are employed at the House of Richard Caton in the City of Baltimore, or at the Farm called Brookland Wood, near the City of Baltimore; — also all the children and descendants of the above mentioned female Slaves, which may be born after the date of this my Last Will and Testament, and during my Life. — I further give and bequeath to the said John Mac Tavish, Lewis Neth and Richard S. Stuart and the survivor of them, and the Executors and Administrators of such Survivor, all the Plate, Household and Kitchen Furniture which shall at the time of my decease be at the dwelling House of the said Richard Caton in the City of Baltimore, or at the said Farm called Brookland Wood and be commonly used and Employed or kept in or about the said two Dwellings or either of them: — To have and to hold the said Lots, Houses, Rents, Slaves, Plate and Furniture and property to the said John Mac Tavish, Lewis Neth and Richard S. Stuart, and the Survivor of them, and the Heirs, Executors and Administrators of such Survivor for and during the lives of Richard Caton and my daughter Maria Caton his wife, and the life of the Survivor of them

upon the following Trusts. — that is to say. — In Trust for my daughter Mary Caton during her natural life for her Sole and Seperate use free from the controul or power of her presents or any future husband, and to permit her or any person she may authorize to receive and take during her life the rents, profits and issues thereof, for her Sole and seperate use, and to make and Execute during her life all such Sales, Conveyances, Leases, Transfers and Assignments thereof, or any part thereof, as she by writing under her hand shall from time to time direct; and the proceeds of all such Sales, Conveyances, Leases, Transfers and Assignments from time to time to invest in such purchases of Stock, Funds, Rents or Property of any kind as she by writing under her hand may from time to time direct, to be held by them in their names in Trust for her Sole and Seperate use as aforesaid during her life. — and in case her said husband Richard Caton should survive her, then in trust as to all the said Lots, Houses, Rents, Slaves, Plate, Furniture and also property of any kind that may have arisen from the Sale, Conveyance, Lease, Transfer, Assignment and reinvestment aforesaid, to hold the same for the use and benefit of the said Richard Caton during his life, and to permit him to take and receive during his life the rents and profits and issues thereof for his own use, and to make such Sales, Transfers, Assignments, Conveyances and Leases thereof and of any part or parts thereof as he may direct by writing under his hand from time to time; and the proceeds of all such Sales, Conveyances, Leases, Transfers and Assignments to invest in their own names in such Stocks or other productive Funds as he may from time to time direct; the same to be held in trust for him in the same manner, and with the like benefit and advantages and powers, as are abovementioned, — and from and after the death of the said Richard Caton and Mary Caton, I give devise and bequeth all the said Lots, Houses, Rents, Slaves, Plate and Furniture and also all property of every kind accruing from the Sale Transfer, Conveyance, Lease, Assignment and reinvestments aforesaid unto my Granddaughters Mary Anne Patterson, Elizabeth Caton, Louisa Catharine Harvey and Emily Mac Tavish, their Heirs, Executors and Administrators as tenants in common, equally to be divided between them.

I devise to my friends John Mac Tavish and Richard S. Stuart of the City of Baltimore, and Lewis Neth of the City of Annapolis and the Survivors and Survivor of them, and to the Heirs of such Survivor, Fifteen Thousand Eight Hundred and Ninety Seven acres of Land in the State of Pennsylvania, being one undivided part of Twenty Seven Thousand Six hundred and ninety one acres held by me in different parts of that State. — Also all my Late Dwelling House in the City of Annapolis and the out houses, Garden and Lots adjoining and belonging to the

said Dwelling House including the Lot between the said Dwelling House and the House formerly occupied and owned by the late Doctor W. Scott; also the Carriage House on the opposite side of the Street that passes in front of my said Dwelling House, - the said John Mac Tarish, Richard I. Stewart and Lewis Neth and the Survivors and Survivor of them, to hold the said Lands, Lots and Houses, in Trust for my daughter Mary Eaton her Heirs and assigns for her sole and separate use free from the controul and power of her present or any future husband with power to my said daughter Mary Eaton to sell, give, convey or otherwise dispose of the said Lands, Lots and Houses or any of them, or any part thereof by Deed or Last Will and Testament or in any other mode in which she may think proper in the same manner as if she were a feme sole.

I Devise to my Daughter Catharine Harper, and her Heirs and Assigns for Ever, Five thousand Eight Hundred and Ninety seven acres of land in the State of Pennsylvania, being one undivided part of the aforesaid Twenty Seven thousand Six Hundred and Ninety One acres held by me in different parts of the State of Pennsylvania aforesaid, also all my Houses and Lots in the City of Baltimore which front on Gay Street and Frederick Street or either of them between Second and Water Streets, to her the said Catharine Harper her Heirs and Assigns for Ever. The remaining part of the aforesaid Twenty Seven thousand Six Hundred and Ninety One Acres of Land held by me in different parts of the State of Pennsylvania. I Devise to my Grand-daughters Elizabeth Chew Tucker, Mary Sophia Bayard, Harriet Carroll and Louisa Catharine Carroll and their Heirs as Tenants in common, to be equally divided among them.

I Devise to my Grand Children Charles Carroll Harper, Robert Goodloe Harper and Emily Harper and their Heirs for ever as Tenants in common all my Lands in Tioga and Steuben Counties in the State of New York commonly called Moreland Manor, as well that part which I purchased from a certain Robert C. Johnson, as those parts which were purchased by my late Son in Law Robert Goodloe Harper from the said Robert C. Johnson and a certain Isaac Bronson, and conveyed to me by the said Robert C. Harper by way of Mortgage.

I give to my Grand Son Charles Carroll Harper his Heirs and Assigns forever my Plantation in Baltimore County called Oakland, Conveyed to me by my late Son in Law Robert Goodloe Harper.

I Devise and bequeath to The Right Reverend Ambrose Arch Bishop of Baltimore and his Heirs, the Chapel on my Manor of Doughoragen, near to the Dwelling House, with all the Utensils, vessels, Furniture, Books and Vestments used in the said Chapel for the purposes of public worship, and for the accommodation of the officiating Priest, and the

Land on which the said Chapel stands; and also one Square Acre of Ground near to the said Chapel including the Burying Ground now used for burying the dead of the Congregation worshipping in the said Chapel; and also a right of way to and from the said Chapel and burying Ground forever, for the purpose of attending the duties of Religion, burying the dead, making repairs and other necessary purposes. And also the Sum of Five Thousand Dollars now due to me from the Reverend John Tessier, being the part that remains due of the Sum of Fifteen Thousand Dollars originally lent by me to the Reverend William Dubourg; and all my Right, Title, Interest and Estate of, in, and to, a certain piece or parcel of ground within the present limits of the City of Baltimore, heretofore mortgaged to me to secure the payment of the said Sum of Fifteen Thousand Dollars and also all arrears of interest on the said Sum of Five Thousand Dollars, that may be due or growing due to me at the time of my decease, and I direct, and my Will is, that in the general division of the residuum of my personal Estate directed by this my Will to be made into three parts, this Sum of Five Thousand Dollars shall be charged to the family of my Son lately deceased, and taken as a part of the third allotted to that Branch of my Family; and that in the Division of that third between my Grand Son and his Sisters, or their Representatives, the said Sum of Five Thousand Dollars shall be charged to my Grand Son Solely, and considered as part of his portion of that third. I make this Disposition because I believe that the large Estate allotted by this Will to my Grandson, will greatly benefit by the use and application which will be made of this Sum of money, while the other Branches of my Family will not be in the way of participating in this benefit.

I hereby release and discharge my Grand Daughter Mary Anne Patterson from the payment of her two notes to me, and also from all rent due from her to me at the date of this my last Will and Testament; provided the said Notes and rent shall remain unpaid at my death, and provided also, that nothing herein contained shall be construed to release any rent which may become or fall due after the date of this my Last Will and Testament.

I give and Bequeath to my friend John Mac Farish, the Sum of Twenty Thousand Dollars. —

All the rest and residue of my Estate, real, personal and mixt, I direct to be divided by my Executors into three parts as equal as may be in value with regard to present productiveness as well as to future; and out of one of those thirds I direct them to raise by such means as they may judge most advantageous and beneficial for those to be ultimately interested in this third, the following annuity; for which purpose I give them all the necessary Powers, including the Power to Convey real Estate in Fee Simple, when —

required, for accomplishing the object; to transfer Stocks, and to sell personal Estate, -
 That is to say, An Annuity of Three Thousand Dollars for my Daughter in Law
 Harriet Carroll during her life, to be paid to her Quarterly or half yearly and
 in full and Entire Discharge and Satisfaction of the Sum of Three Thousand
 Dollars annually secured to her by her Marriage Settlement, and charged there-
 by on my Manor of Carrollton and the adjoining Lands, which are to be ful-
 ly discharged and Exonerated therefrom by this payment; and if my said daugh-
 ter in Law should decline receiving this annuity in discharge and Satisfaction
 of her Marriage Settlement, I then authorize and direct my Executors to retain
 the Annuity, or the fund out of which it is to arise in their own Hands
 during her life, and to pay the said Sum to her annually in discharge of
 her claim under that Settlement. And I request my said daughter in Law
 to accept this annuity in lieu of the said provision by her marriage Settle-
 ment, and in consideration thereof, to release my said Manor of Carrollton
 by a sufficient deed from all claim on account of the annuity provided for her,
 as aforesaid by her Marriage Settlement so as to leave my said Manor free
 and unencumbered to those to whom I have already Conveyed it after the ter-
 mination of the Life Estate reserved to myself; because, the Sale of it, should
 they be inclined to sell it, might be injured by its remaining in any degree
 subject to this incumbrance; and as an equal Sum is secured to her by
 this my Will, she can lose nothing by the Release. - And it is my Will
 that after the said Annuity shall be raised and secured out of the said Third,
 and after my said daughter in Law shall have by a good and sufficient
 Deed Consented to accept and receive the Annuity of Three Thousand Dollars
 for her Life, hereby provided for her, in lieu and Discharge of the Annu-
 ity of Three Thousand Dollars provided for her by her marriage Settlement
 aforesaid, and shall by such good and sufficient deed have released my
 said Manor of Carrollton and other Lands in Frederick County from all
 claim under, or by virtue of the said Marriage Settlement, and not before, all
 that remains of it shall be divided equally by my Executors between my Grand-
 Son Charles Carroll and four Granddaughters, his Sisters, or such of the whole
 five as shall be alive at the time of my decease, and the children of such as
 may be then dead; giving to each, one equal part, and to the children of
 any of them that may be then dead equally among them, the part which,
 their Parents respectively would have taken if alive, and that in case of any
 part of the said Third being retained as a fund for producing the said An-
 nuity in whole or in part, such fund shall be divided and disposed of in
 the same manner when the said Annuity shall cease. - And if it should
 so happen that at the time of my decease all my said five Grandchild-
 ren should be dead without leaving any children or descendants, I then

will that all the aforesaid residue of the said Third shall go to my Daughters Mary Caton and Catharine Harper share and share alike, and if either or both of them should be then dead, their parts respectively shall go to their children, to be equally divided among them, in such manner that the children of each shall take equally among them, the part that their mother if alive would have taken. — And as to the remaining two thirds of all the general residue of my Estate directed above to be divided into three equal parts, I Devise and Bequeath one of those thirds to my friends, John Mac Tavish and Richard S. Stewart of the City of Baltimore and Lewis Beth of the City of Annapolis, and the Survivors and Survivor of them, and to the Heirs, Executors and Administrators of such Survivor during the Life time of my Daughter Mary Caton, in Trust for my said daughter Mary Caton, during her life, for her Sole and Seperate use, free from the Controul or Power of her present or any future husband; and to permit her, or any person whom she may authorize to receive and take during her life, the rents, profits, interest, income and Dividends thereof for her Sole and seperate use; and to make and execute from time to time during her life all such Sales, Conveyances, Leases, Transfers and Assignments thereof or of any part thereof as she by writing under her Hand shall from time to time direct; and the proceeds of all such Sales, Conveyances, Leases, Transfers and Assignments from time to time to invest in such purchases of Stock, Funds, Rents, or Property of any kind, as she may by writing under her hand direct from time to time to be held by them in their Names in Trust for her Sole and Seperate use as aforesaid during her life. — And upon the death of the said Mary Caton I give Devise and Bequeath the said One Third of the General Residuum aforesaid unto my Grand Daughters Mary Anne Peterson, Elizabeth Caton, Louisa Catharine Hervey and Emily Mac Tavish, their Heirs, Executors and Administrators for ever as Tenants in common, and if any one or more of my said Grand Daughters shall die in my life time without issue, the share that would have belonged to such Grand daughter in case she had Survived me, shall go and belong to the Surviving Sisters of such deceased Grand Daughter and the issue of such of them as shall have died leaving issue, such issue to stand in the place, and have the Share that would have belonged to his, her, or their mother if she had then been living. —

And as to all the remaining third Part of the General Residuum aforesaid, I give devise and bequeath the said One Third of the General Residuum aforesaid to my Grand Children Charles Carroll Harper, Emily Harper, and Robert Goodloe Harper, their Heirs, Executors and Administrators as Tenants in common. But if my Daughter Catharine Harper shall

within six months after my death, convey to my last mentioned Grand children or their descendants in Fee Simple, all those parts of the Manor of Carrollton heretofore conveyed by me to the said Catharine Harper. (the said Land to be Conveyed to the said Children or descendants of such of them as may be dead, in such proportions, as at the time of the making of the said Deed, they shall be respectively entitled in the said last mentioned One Third of the General Residuum aforesaid.) then, as soon as the said conveyance shall be duly made by the said Catharine Harper, and the Title to the said Lands become legally and fully vested in my said Grand children or their descendants in manner aforesaid, I then and in that Event give to my Daughter, her Heirs, Executors and Administrators the said last mentioned One Third of the General Residuum aforesaid.

And Whereas I have heretofore given to my Son and Daughters from time to time, and paid and advanced for them respectively, Sundry Sums of money for their Settlement, Establishment, and Advancement in Life, and may hereafter make further Advances for them respectively for the same purpose, all which Sums so advanced are to be charged to them respectively, and Whereas for the better explaining of my Will and intention in this respect I have raised accounts with my Grand Son Charles Carroll as the Administrator of his father, and with my Daughters respectively in a Book marked **FA** in which I have charged, and intend hereafter to charge each of them respectively in their General Accounts with all such Sums as are to be considered as given towards the Establishment, Settlement and Advancement in life of the three Branches of my Family, and are consequently to be carried to their debit. — Now my Will is, and I Do hereby bequeath direct and devise that all Sums charged in my said Book marked **FA** against my Grand Son Charles Carroll as the Administrator of his father shall stand and be debited in the Division of the General Residuum of my Estate as a part of the one third of the said residuum devised to my said Grand Son and his four Sisters, and shall be allotted and accounted for as a part of their said One Third. And all Sums charged against my daughter Mary Caton shall stand and be debited in the said Division of the general residuum as a part of the one third of the said residuum devised in Trust for my said daughter Mary Caton for Life with remainder to her four daughters, and shall be allotted and accounted for as a part of the said One Third; and all Sums charged against my daughter Catharine Harper shall stand and be debited in the said Division of the general Residuum as a part of the one third of the said residuum devised to her three children, and shall be allotted and accounted for as a part of the said One Third, but neither of them shall be

debited or charged in the said division with any interest on the said Sums so advanced, or to be advanced to them, or on any of them, nor with any Sums heretofore allowed and paid to them respectively by way of annuity or annual Stipend for their support and maintenance or personal Expenses, or with any Sums hereafter to be so allowed and paid to them respectively for the same purposes. And it is my will, and I Do hereby further Devise bequeath and direct that in case my said daughters or Grand Children, or either of them should die in my lifetime, none of the provisions hereby made for such of them as may so die shall be considered as lapsed or void Devises or Legacies, but that the Estates and Interest of every kind hereby limited to take effect at their deaths respectively, in case of their surviving me shall take effect respectively at the time of my decease in case of any of them dying before me in the same manner in all respects as if they had respectively survived me and then died, and when no Estates or Interests are hereby limited to take effect on the death of either of my daughters or Grand Children, it is my will, and I Do hereby further Devise, bequeath and direct that in case of the death of either or both of my daughters or any of my Grand Children in my lifetime, the property, interest and Estates of every kind hereby devised or bequeathed by way of Trust or otherwise to each of them respectively so dying, shall at my decease go to and be vested in the same persons, and for the same interests and Estates therein respectively, and Subject to the same Conditions, powers and provisions in all respects, who would have taken such property interest and Estates, either by operation of Law or by virtue of this my Last Will in case the daughter or Grand child so dying, had survived me and then died; and I hereby devise and bequeath the said Property Interest and Estates accordingly to such persons, for such interests and Estates therein and Subject to such conditions powers and provisions as are aforesaid respectively, excepting however, out of this clause of my Will, those cases where there is an express limitation over, in case of the death of a Devisee or Legatee in my Lifetime, provided such express limitation shall be to a different person or persons from those designated in this clause of my Will. —

It is my Will, and I direct that no Inventory shall be made or returned of my personal Estate, but that my Executors sign and file in the Orphans Court of the proper County an Admission of Assets to pay all just demands against me; and confidently relying on the friendly and affectionate disposition of my children and Executors towards each other; I do earnestly recommend that if any difference of opinion should arise among them touching this my Will, or in the execution or construction thereof they will agree to refer it to the decision of some common friend or friends

in preference to any Legal Controversy. -

And as it is not my intention or expectation that the Trustees appointed by my Will, or the Survivor of them, or the Heirs, Executors, or Administrators of such Survivor, shall have any labour or trouble, or incur any risk or expense in the performance of the Trusts created by my said Will, but that the various Devizes and Legates shall and will take upon themselves all the business labour trouble and Expense of the affairs of my Estate; merely acting in the name, and with ^{the} permission and sanction of the said Trustees when necessary; I Do therefore for avoiding and preventing any doubt that might hereafter arise on the Subject of commission or compensation to my said Trustees or either of them, or either of their Heirs, Executors or Administrators, Declare and Direct that no commission or compensation whatever shall be allowed or paid to my said Trustees or either of them, or to the Heirs, Executors, or Administrators of the Survivor of them for or on account of any matter or thing to be done, directed or assented to by them, or either, or any of them, in or about the affairs of my Estate, or the Execution of the said Trusts, or either or any of them, except the necessary expenses which they or any of them may from time to time incur in and about the said Trusts, or any of them; which expenses I direct to be paid, or borne by the persons respectively, for whom or for whose benefit the acts giving rise to such Expenses shall respectively be done.

Having already divided my Manor and Lands in Frederick County among the different Branches of my family, reserving to myself a Life Estate therein, and having caused the said Lands (including my Manor of Carrollton and all the Lands which I hold adjoining to it, or in its vicinity) to be divided into twelve parts or Lots, equal in quantity and value, by Peter Mantz, John B. Simmons and Ignatius Davis, who by my direction have made a plot of the said Lands and division with an accompanying Table of Courses, all which I have approved, and attested my approbation by signing the said Table on the Eighth day of February One Thousand Eight Hundred and Twenty one, and having in further pursuance of my plan in this respect, divided the parts by Lot among the different branches of my family and Executed Conveyances to each of them for their several parts, reserving to myself a Life Estate in the whole, - One of which conveyances is to my daughter Catharine Harper and her Heirs by way of Covenant to stand seized, bearing date on the Seventh day of February One Thousand Eight Hundred and Twenty One, of and for Lots, Numbers Six, Eight, Eleven, and Twelve, and the small or two acre Lots, Numbers, Six, Eight, Eleven and Twelve by Metes and bounds, being one equal third Part in quantity and value of the said Manor and Lands; - One other of which Convey-

ances is to Robert Patterson and Mary Anne Patterson and the Survivor of them, and the Heirs of such Survivor by way of Lease and Release bearing date respectively on the Sixth and Seventh days of February One Thousand Eight Hundred and Twenty one of and for Six Hundred Acres of Land part of the said Manor by metes and bounds, and of and for Lot, Number Nine, and the small or two acre Lot Number Nine, also by metes and bounds being together one equal Twelfth part of the whole of the said Manor and Lands in quantity and value; One other of which Conveyances is to my Granddaughter Elizabeth Eaton and her Heirs by way of Covenant to stand seized bearing date on the Seventh day of February One Thousand Eight Hundred and Twenty one, of and for Lot Number One, and the small or two acre Lot Number One by metes and bounds, being one equal Twelfth Part of the said Manor and Lands in quantity and value; one other of which Conveyances is to my Granddaughter, Louisa Catharine Hervey, commonly called Lady Hervey, and her Heirs by way of Covenant to stand seized, bearing date on the Seventh day of February One Thousand Eight Hundred and Twenty One, of and for Lot Number Two, and the small or two acre Lot Number Two by metes and bounds being one equal Twelfth part of the said Manor and Lands in quantity and value; One other of which Conveyances is to my Granddaughter Emily Mac Tish and her Heirs by way of Covenant to stand seized, bearing date on the Seventh day of February, one Thousand Eight Hundred and Twenty One of and for Lot Number Five, and the small or two acre Lot Number Five by metes and bounds, being one equal Twelfth Part of the said Manor and Lands in quantity and value; which four Twelfth parts last mentioned are the portion of the said Manor and Lands formerly destined for my daughter Mary Eaton, and by consent of her and her husband thus conveyed to her said four daughters in her stead; One other of which Conveyances is to my Granddaughter Mary Sophia Bayard and her Heirs by way of Covenant to stand seized bearing date on the Seventh day of February One Thousand Eight Hundred and Twenty One, of and for Lot Number Ten, and the small or two acre Lot Number Ten by metes and bounds being one equal Twelfth part in quantity and value of the said Manor and Lands; One other of which Conveyances is to John Eger Howard the younger, and Doctor William Howard both of Baltimore, and the Survivor of them, and the Heirs of such Survivor in Trust for my Granddaughter Elizabeth Chew Carroll now Elizabeth Chew Tucker and her Heirs, subject to certain charges, of and for Lot Number Three, and the small or two acre Lot Number Three by metes and bounds, being one equal Twelfth Part in quantity and value of all the said Manor and Lands by Deeds of Lease and Release bearing Date respectively on the Sixth and Seventh days of February One Thousand Eight Hundred and Twenty One; One other of

which conveyances is to the said John Eager Howard the younger and Doctor William Howard and the Survivor of them, and the Heirs of such Survivor in Trust for my Granddaughter Harriet Carroll and her Heirs subject to certain charges of and for Lot Number Four, and the small or two acre Lot Number Four by metes and bounds being one equal twelfth part in quantity and value of all the said Manor and Lands by deeds of Lease and Release bearing date respectively on the Sixth and Seventh days of February One Thousand Eight Hundred and Twenty one; One other of which conveyances is to the said John Eager Howard the Younger, and Doctor William Howard, and the Survivor of them and the Heirs of such Survivor in Trust for my Granddaughter Louisa Catharine Carroll and her Heirs, subject to certain charges of and for Lot Number Seven, and the small or two acre Lot Number Seven, by metes and bounds being one equal Twelfth Part in quantity and value of all the said Manor and Lands by deeds of Lease and Release bearing date respectively on the Sixth and Seventh days of February One Thousand Eight Hundred and Twenty One; and as doubts may exist concerning the validity and operation of the said conveyances or some of them by reason of outstanding Estates in Trusts in One undivided third heretofore conveyed to my daughter Mary Eaton and her Heirs and of various Contingent interests and limitations over of parts of the said undivided third created by conveyances made of parts of the said third by my said daughter and her husband to some of their daughters; all difficulty to arise from which doubts, I am desirous of preventing by devising to the same persons and their Heirs any interest in their respective parts that may remain in me at the time of my decease; I do therefore devise in manner following; that is to say, To my said daughter Catharine Harper and her Heirs all the aforesaid Lots, Numbers Six, Eight, Eleven and Twelve, and the small or two Acre Lots, Numbers Six, Eight, Eleven and Twelve which are conveyed to her as aforesaid according to the metes and bounds expressed in the said deed to her of the Seventh day of February, One Thousand Eight Hundred and Twenty One, and to the said Mary Anne Patterson, the Survivor of the said Robert Patterson and her Heirs, all the aforesaid Six Hundred Acres of Land and Lots Numbers Nine which are conveyed to the said Mary Anne and Robert as aforesaid, according to the several metes and bounds thereof, expressed in the said deeds of Lease and Release to them of the Sixth and Seventh days of February One Thousand Eight Hundred and Twenty one; to my said Granddaughter Elizabeth Eaton and her Heirs, all the aforesaid Lot Number One, and the small or two acre Lot Number One which are conveyed to her as aforesaid according to the metes and bounds expressed in the said deed to her bearing date on the Seventh day of February One Thousand Eight Hundred

ances is to Robert Patterson and Mary Anne Patterson and the Survivor of them, and the Heirs of such Survivor by way of Lease and Release bearing date respectively on the Sixth and Seventh days of February One Thousand Eight Hundred and Twenty one of and for Six Hundred Acres of Land part of the said Manor by metes and bounds, and of and for Lot, Number Nine, and the small or two acre Lot Number Nine, also by metes and bounds being together one equal twelfth part of the whole of the said Manor and Lands in quantity and value; One other of which Conveyances is to my Granddaughter Elizabeth Eaton and her Heirs by way of Covenant to stand seized bearing date on the Seventh day of February One Thousand Eight Hundred and Twenty one, of and for Lot Number One, and the small or two acre Lot Number One by metes and bounds, being one equal twelfth Part of the said Manor and Lands in quantity and value; One other of which Conveyances is to my Granddaughter, Louisa Catharine Hervey, commonly called Lady Hervey, and her Heirs by way of Covenant to stand seized, bearing date on the Seventh day of February One Thousand Eight Hundred and Twenty One, of and for Lot Number Two, and the small or two acre Lot Number Two by metes and bounds being one equal twelfth part of the said Manor and Lands in quantity and value; One other of which Conveyances is to my Granddaughter Emily Mac Jarvis and her Heirs by way of Covenant to stand seized, bearing date on the Seventh day of February, one Thousand Eight Hundred and Twenty One of and for Lot Number Five, and the small or two acre Lot Number Five by metes and bounds, being one equal twelfth Part of the said Manor and Lands in quantity and value; which four twelfth parts last mentioned are the portion of the said Manor and Lands formerly destined for my daughter Mary Eaton, and by consent of her and her husband thus conveyed to her said four daughters in her stead; One other of which Conveyances is to my Granddaughter Mary Sophia Bayard and her Heirs by way of Covenant to stand seized bearing date on the Seventh day of February One Thousand Eight Hundred and Twenty One, of and for Lot Number Ten, and the small or two acre Lot Number Ten by metes and bounds being one equal twelfth part in quantity and value of the said Manor and Lands; One other of which Conveyances is to John Eager Howard the younger, and Doctor William Howard both of Baltimore, and the Survivor of them, and the Heirs of such Survivor in Trust for my Granddaughter Elizabeth Chew Carroll now Elizabeth Chew Tucker and her Heirs, subject to certain charges, of and for Lot Number Three, and the small or two acre Lot Number Three by metes and bounds, being One equal twelfth Part in quantity and value of all the said Manor and Lands by Deeds of Lease and Release bearing Date respectively on the Sixth and Seventh days of February One Thousand Eight Hundred and Twenty One; One other of

which conveyances is to the said John Eager Howard the younger and Doctor William Howard and the Survivor of them, and the Heirs of such Survivor in Trust for my Granddaughter Harriet Carroll and her Heirs subject to certain charges of and for Lot Number Four, and the small or two acre Lot Number Four by metes and bounds being one equal twelfth part in quantity and value of all the said Manor and Lands by deeds of Lease and Release bearing date respectively on the Sixth and Seventh days of February One Thousand Eight Hundred and Twenty one; One other of which conveyances is to the said John Eager Howard the Younger, and Doctor William Howard, and the Survivor of them and the Heirs of such Survivor in Trust for my Granddaughter Louisa Catharine Carroll and her Heirs, subject to certain charges of and for Lot Number Seven, and the small or two acre Lot Number Seven, by metes and bounds being one equal Twelfth Part in quantity and value of all the said Manor and Lands by deeds of Lease and Release bearing date respectively on the Sixth and Seventh days of February One Thousand Eight Hundred and Twenty One; and as doubts may exist concerning the validity and operation of the said conveyances or some of them by reason of outstanding Estates in Trusts in One undivided third heretofore conveyed to my daughter Mary Caton and her Heirs and of various Contingent interests and limitations over of parts of the said undivided third created by conveyances made of parts of the said third by my said daughter and her husband to some of their daughters; all difficulty to arise from which doubts, I am desirous of preventing by devising to the same persons and their Heirs any interest in their respective parts that may remain in me at the time of my decease; I do therefore devise in manner following; that is to say, To my said daughter Catharine Harper and her Heirs all the aforesaid Lots, Numbers Six, Eight, Eleven and Twelve, and the small or two Acre Lots, Numbers Six, Eight, Eleven and Twelve which are conveyed to her as aforesaid according to the metes and bounds expressed in the said deed to her of the Seventh day of February, One Thousand Eight Hundred and Twenty One, and to the said Mary Anne Patterson, the Survivor of the said Robert Patterson and her Heirs, all the aforesaid Six Hundred Acres of Land and Lots Numbers Nine which are conveyed to the said Mary Anne and Robert as aforesaid, according to the several metes and bounds thereof, expressed in the said deeds of Lease and Release to them of the Sixth and Seventh days of February One Thousand Eight Hundred and Twenty one; to my said Granddaughter Elizabeth Caton and her Heirs, all the aforesaid Lot Number One, and the small or two acre Lot Number One which are conveyed to her as aforesaid according to the metes and bounds expressed in the said deed to her bearing date on the Seventh day of February One Thousand Eight Hundred

and twenty one; to my said Granddaughter Louisa Catharine Harvey and her Heirs all the aforesaid Lot Number Two, and the small or two acre Lot Number Two, which are conveyed to her as aforesaid according to the metes and bounds expressed in the said deed to her bearing date on the Seventh day of February One Thousand Eight Hundred and Twenty One; to my said Granddaughter Emily Mac Farish and her Heirs, all the aforesaid Lot Number Five, and the small or two acre Lot Number Five which are conveyed to her as aforesaid according to the Metes and bounds expressed in the said deed to her bearing date on the Seventh day of February One Thousand Eight Hundred and Twenty One; - To my said Granddaughter Mary Sophia Bayard and her Heirs, all the aforesaid Lot Number Ten, and the small or two acre Lot Number Ten which are conveyed to her as aforesaid according to the metes and bounds expressed in the said deed to her, bearing date on the Seventh day of February, One Thousand Eight Hundred and Twenty One; and to the said Doctor William Howard the Survivor of the said John Eager Howard the Younger, and his Heirs, all the aforesaid Lot Number Three, and the small or two acre Lot Number Three which are conveyed to them as aforesaid in Trust for my said Granddaughter Elizabeth Chew Carroll now Elizabeth Chew Tucker and her Heirs, and for other purposes, according to the metes and bounds expressed in the said deeds of Lease and Release thereof to them bearing date respectively on the Sixth and Seventh days of February One Thousand Eight Hundred and Twenty One; which devise is upon the same Trusts, and for the same intents and purposes as are expressed in the deed of Release last aforesaid; and to the said Doctor William Howard, the Survivor of the said John Eager Howard the Younger, and his Heirs, all the aforesaid Lot Number Four, and the small or two acre Lot Number Four which was conveyed to them as aforesaid in Trust for my said Granddaughter Harriet Carroll and her Heirs, and for other purposes, according to the metes and bounds expressed in the said deeds of Lease and Release thereof to them bearing date respectively on the Sixth and Seventh days of February One Thousand Eight Hundred and Twenty One, which devise is upon the same Trusts, and for the same intents and purposes as are expressed in the deed of Release last aforesaid; and to the said Doctor William Howard the Survivor of the said John Eager Howard the Younger and his Heirs all the aforesaid Lot Number Seven, and the small or two acre Lot Number Seven which are conveyed to them as aforesaid in Trust for my said Granddaughter Louisa Catharine Carroll and her Heirs, and for other purposes, according to the metes and bounds expressed in the said deeds of Lease and Release thereof to them bearing date respectively on the Sixth and Seventh days of February, One Thousand

Eight Hundred and Twenty One, which devise is upon the same Trusts, and for the same intents and purposes as are expressed in the deed of Release last aforesaid.

And Whereas I have contracted, and may hereafter contract for the Sale of Sundry parcels and tracts of land, to conveyances of and for which the contracting parties will become Entitled on fulfilling the conditions of their respective contracts, which may not take place during my life, I Do hereby direct and Empower my Executors hereinafter named and the Survivors, or Survivor of them to execute conveyances for and of all such Lands in Fee Simple or otherwise according to the respective Contracts to the respective Contracting parties, or those claiming under them, on the fulfillment of the conditions of Sale by them respectively, and I Do hereby Devise all such Lands to my said Executors and to the Survivor of them and the Heirs of such Survivor for the purpose of better enabling them so to convey.

I have already paid for my Grand Son Charles Carroll a Sum of money in order to prevent the Sale of Homewood which belongs to him, and may hereafter pay other Sums for his individual benefit; and as it is not just that the portion of my Estate devised to his Sisters should be charged with money paid for his exclusive benefit, I hereby direct that all Sums (except the annual allowance for the support of himself and his family) which shall be charged against him not as Administrator in my said Book marked **FA** and which shall remain open against him at the time of my Decase, shall be allotted and Charged against him as a part of his Share of the one Third of the General Residuum devised to him and his Sisters and shall be accounted for out of his part of the said one third.

I Do hereby nominate, constitute and appoint Robert Oliver, Richard Caton and John Mac Jarvis, Executors of this my last Will and Testament. But as the said John Mac Jarvis is not a Citizen of the United States, and may therefore at the time of my death not be qualified by Law to act as one of my Executors, - I do therefore, (in case the said John Mac Jarvis by reason of any legal Impediment should be disqualified from acting as one of my Executors) hereby substitute my Grand-daughter Emily Mac Jarvis in the place of her husband the said John Mac Jarvis, and in that case. Constitute and appoint the said Emily Mac Jarvis Executrix, and the said Robert Oliver and Richard Caton Executors of this my Last Will and Testament. And I Do further Will and direct that no Commission or compensation whatsoever be allowed on the Settlement of my Estate; it being my express desire that no expense be incurred in the winding up of the same, excepting such as shall be just and unavoidable. -

I give to Mrs Jane Shaw the Sum of One Thousand Dollars from

-ded she survives me.

My Servant Bill has served me faithfully, and if he survives me, I wish to make his latter years comfortable. But at my death he may be over forty five years of age, and therefore, incapable of receiving a manumission. If he should be over forty five at the time of my death, I request that he may be released from service, and that my Grand Son Charles Carroll, pay him an annuity of Fifty Dollars a year, during his Life, and to permit him if he desires it, to reside on the Manor of Doughoragen. If my said Servant Bill should be under forty five years of age at the time of my death, I hereby manumit him, and set him free at my death, and direct my said Grand Son to pay him the above annuity. -

In Witness Whereof, I have to this my Last Will and Testament Set and Subscribed my Hand and Seal, this Second day of September, One Thousand Eight Hundred and Twenty five.

Ch. Carroll of Carrollton



Signed, Sealed, Published and Declared by the Testator as his Last Will and Testament, in the presence of us, who at his request, in his presence, and in the presence of each other, have subscribed our Names as Witnesses thereto, the following interlineations and corrections being first made, that is to say, the words "each of" being first inserted between the words "of" and "my" in the eighth line of the fifth page, the words "last mentioned four" between the words "said" and "Granddaughters" in the fourth line from the bottom of the seventh page, the words "Hats and" between the words "and" and "her" in the fifteenth line of the tenth page, and the words "and Kelly and her Children" between the words "Children" and "which" in the following line of the same page; the words "and the House formerly occupied" in the sixteenth and seventeenth lines of the sixteenth page being first expunged, and the words "and owned" at the commencement of the fourth line from the bottom of the same page being inserted; the words "of her" in the ninth line of the seventeenth page being also expunged as well as the words "Two Thousand" in the fourth line of the eighteenth page; the words "and also all arrears of interest on the said Sum of Five Thousand Dollars" being inserted between the words "Dollars" and "that" in the fifth line from the bottom of the twenty first page; the words "and rent" between the words "notes" and "shall" in the eleventh line of the twenty third page; the words "and with my Daughters respectively" between the words "father" and "in" in the fourth line from the bottom of the thirty fourth page, the words "as a part of the one third of the said residuum" between the words "residuum" and "devised" in the first line of the thirty sixth page; and the words "now Elizabeth Chew Tucker" being also inserted between the third and fourth lines from

the bottom of the Forty Seventh page, and the same words again introduced between the second and third lines of the fifty fifth page; the numerical figures in red ink at the corner of the pages from forty five to fifty eight inclusive being also expunged.

Witnesses.

R. B. Taney.

Allen Thomas.

Geo. Howard.

Geo. Cooke.

Baltimore County; Is:— On the 13th day of February 1834. came Allen Thomas, George Howard and George Cooke three of the subscribing witnesses to the foregoing last Will and Testament of Charles Carroll of Carrollton deceased and made oath on the Holy Evangelys of Almighty God that they did see the Testator sign and seal this Will 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 apprehensions of sound and disposing mind, memory and understanding, and that they together with R. B. Taney, the other subscribing Witness thereto, subscribed their names as Witnesses to this Will, in his presence, at his request, and in the presence of each other.

Sworn to in open Court.

Test: D. M. Perine, Register of Wills for Baltimore County.

Baltimore County; Is:— On the 15th day of September 1834 came R. B. Taney one of the subscribing witnesses to the foregoing last Will and Testament of Charles Carroll of Carrollton deceased, and made oath on the Holy Evangelys of Almighty God that he did see the Testator sign and seal this Will that he 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 his apprehension of sound & disposing mind, memory and understanding, and that he together with Allen Thomas, George Howard and George Cooke the other subscribing Witnesses thereto, subscribed their names as Witnesses to this Will, in his presence at his request and in the presence of each other.

Sworn to in open Court:

Test: D. M. Perine, Register of Wills for Baltimore County.

I, Charles Carroll of Carrollton, do make this codicil to my last Will and Testament.

1st I give and devise to my Grandson Charles Carroll, his Heirs and Assigns, all my Manor and Lands situate in Anne Arundel County, called or known by the name of Doughoragen Manor, or Doughoragen Manor enlarged, together with all my other lands adjoining to the said tract or tracts of land, or to either of them. — But if my said Grandson Charles

Carroll shall die without leaving issue Male living at the time of his death, or in ventre sa mere, then, I give and devise all of the said Lands from and after the death of the said Charles Carroll to my daughters Mary Caton and Catharine Harper and to all the Daughters now born, or hereafter to be born, of my said Grandson Charles Carroll, their Heirs and Assigns forever, as Tenants in Common, and not as joint Tenants to be divided between them in the following manner, The one third of all of the said Lands above mentioned to my daughter Mary Caton, her Heirs and Assigns — Another third part to my daughter Catharine Harper her Heirs and Assigns; and the remaining third part to all the daughters of my said Grandson now born or hereafter to be born; their Heirs and Assigns forever, equally to be divided between them as Tenants in Common. —

2^d. — In my Will I have devised to my daughter Catharine Harper, Five thousand Eight Hundred and Ninety Seven Acres of land in Pennsylvania being an undivided part of Twenty Seven thousand Six Hundred and Ninety one Acres, and also certain Houses and Lots fronting on Gay Street in the City of Baltimore, — Now, I do by this Codicil give and devise the said Five thousand Eight Hundred and Ninety Seven Acres of Land and the said Houses and Lots fronting on Gay Street, in the City of Baltimore, to my three Grand-children, Charles Harper, Emily Harper, and Robert Harper, their Heirs and Assigns forever, to be equally divided between them as Tenants in Common. —

3^d. — In my said Will I have devised and bequeathed Sundry Lots and Rents in the City of Baltimore, together with the plate, household and kitchen furniture which may be commonly used or employed in or about the House in which my Son in Law Richard Caton resides in the City of Baltimore, or at the Farm in Baltimore County called Brookland Wood at the time of my death, and also all the Slaves commonly employed in or at, and about the said House or Farm at the time of my death to my friends John Mac Jarvis, Richard Stewart and Lewis Neth, in trust for the separate use of my daughter Mary Caton during her life, and after her death for the use of the said Richard Caton during his life, and after his death to their four daughters, Mary, (now Marchioness of Wellesley) Elizabeth Caton, Louisa and Emily, their Heirs and assigns for ever, as by the said Will, reference being thereunto had, will more fully, and at large appear. Now I do hereby revoke so much of the said Clause abovementioned in my Will as directs that the said property so devised or bequeathed should be for the use of my Son in Law Richard Caton for and during his life in case he should survive his wife Mary Caton. — And, I will and direct that all the Rents, Lots, Slaves, plate, Household and Kitchen furniture and

property mentioned, and devised and bequeathed by the aforesaid clause of my Will, shall upon the death of my daughter Mary Eaton, be conveyed and transferred by my said Trustees to my four Grand daughters, Mary, (Marchioness of Wellesley) Elizabeth Eaton, Louisa now Lady Hervey, and Emily M^r Jarvis to them their Heirs, Executors, Administrators and Assigns as Tenants in Common.

4th - I give and Devise to my friends John M^r Jarvis, Doctor Richard Stuart and Lewis Neth, and to the Survivors and Survivor of them and to the Heirs of such Survivor, all my Lots and Rents in the village of Catonville in Baltimore County, and all my right, title and interest in, to, or out of the said Lots, in trust for the Separate use of my daughter Mary Eaton during her natural life, free from the controul of her husband, and from and after the death of the said Mary Eaton for the use of her four daughters Mary, Elizabeth Louisa and Emily their Heirs and Assigns forever, in equal proportions as tenants in Common.

5th - I give and bequeath to my Granddaughter Emily M^r Jarvis the one half of the Negroes and the one half of all the other personal property belonging to me, which may be on the farm called the Folly part of Doughrager Manor at the time of my death; but, this Bequest is not intended to embrace those Slaves on the said farm which formerly belonged to my Son Charles Carroll.

6th - I give and bequeath to my Granddaughter Emily M^r Jarvis the following Negroes that is to say, - Nancy (Gardener Harry's daughter) and her children, and Basil her husband - also Rachel Hart and her children and increase, William (Charlotte's Son) Adolphus, (Beal's Son,) Susan, (Titia's daughter,) and Julie, (Milley's daughter,) and also all the children of the abovementioned female Slaves which may be born after the date of this Codicil and before my death. -

7th - I give to my four Granddaughters, Mary (Marchioness of Wellesley) Elizabeth Eaton, Louisa, (Lady Hervey) and Emily M^r Jarvis to be equally divided between them as Tenants in Common the following Slaves, some of whom at the date of this my Codicil are learning the several Trades annexed to their Names, that is to say, Paul, (Beal's Son) Blacksmith; James (Harry's Son) Ploughmaker; William, (Toney's Son) Stone Mason; Sally, (Charles's daughter) at Gibbons's; Moses, (Joe's Son) Wheelwright; Robert, a Shoemaker, Kitty (Ben's daughter) at this time at the farm called Brookland Wood, and Ellen, (Harry Hart's daughter) who is also at Brookland. -

And it is my Will, and I do hereby direct that, if any of the Slaves mentioned in the two last preceding clauses of this Codicil that is to say in the Sixth and Seventh clauses of this Codicil, shall be at Doughrager

Manor at the time of my death, they shall not be reckoned among the Slaves to be distributed in the manner mentioned in my Will, nor shall the Slaves bequeathed to my Granddaughters, or either of them in the said two clauses of this Codicil be considered as a part of the one third of the Slaves on Doughoragen Manor bequeathed in my Will to my four last mentioned Granddaughters to be equally divided between them. —

8th — I bequeath to my Granddaughter Emily M^c Jarvis the one half of all the Tobacco, Corn, and Wheat which shall be on Doughoragen Manor and belong to me at the time of my death, and which at that time shall not have been sold, or contracted to be sold; excepting from this bequest what may be due from Tenants. In this bequest I mean to include the tobacco, Corn, and Wheat growing, or remaining on the ground and also that which may be secured in Houses, Barns, or otherwise, at the time of my death. I also give to the said Emily M^c Jarvis the one half of the plate and household furniture which shall belong to my dwelling House on Doughoragen Manor at the time of my death. The other half of the said Tobacco, Corn and Wheat plate and household furniture, and all rents due at the time of my death to remain to my Grand Son Charles Carroll. —

9th — I bequeath to my Granddaughter Elizabeth Baton Ten Thousand Dollars; and also to my Granddaughter Louisa (Lady Hervey) Ten Thousand Dollars. And I hereby direct that the said two Legacies, amounting together to Twenty Thousand Dollars be taken out of the one third of the General Residuum of my Estate devised and bequeathed in my aforesaid Will, in Trust for my daughter Mary Baton for life, and after her death, to her four Daughters. The said Sum of Twenty thousand Dollars is to be reckoned and accounted as a part of the said last mentioned one third of the general residuum of my Estate in the Division thereof, and the other two thirds of the said general residuum are not to be diminished by reason of the said two Legacies. —

10th — It is my Will and intention that all property real and personal of every kind and description devised or bequeathed to my Granddaughters, or to any, or to either of them, by my aforesaid Will, or by this Codicil, and all the Estate, interest, property and money to which my granddaughters or any, or either of them may hereafter become entitled under or by virtue of my said Will, or this Codicil, shall be free from the control of their respective husbands, and in order more effectually to accomplish this purpose I hereby devise and bequeath to my friends John M^c Jarvis Doctor Richard Stuart, and Lewis Beth all the property, Estate and Estates, interest and interests, share and Shares proportion and proportions

money and legacies, which by my said Will or this Codicil I have before given to my granddaughters, or to any or to either of them in possession or remainder, or to which my said granddaughters or any, or either of them may become Entitled in any manner under and by virtue of my said Will, or this Codicil, in trust that they the said John M^r Jarvis, Doctor Richard Stuart and Lewis Keth, and the Survivors and Survivor of them will by proper Deeds and Instruments of writing secure the same, and every part and parcel thereof to the separate use of my Granddaughters and of each and every of them according to their several proportions and interests as specified and mentioned in my said Will, or in this Codicil, And in such manner that my said Granddaughters and each and every of them may at all times hold their said respective interests free from the controul of their present or future husbands, and be able and capable notwithstanding their Coverture to use or dispose of the same and every part and parcel thereof by deed, Will, or otherwise, as absolutely and freely as if they were sole and unmarried. —

11th — In my aforesaid Will, I have devised and bequeathed to the Most Reverend Ambrose Marechal Arch Bishop of Baltimore certain real and personal property particularly mentioned in my said Will, I hereby revoke and annul all the devises and bequests made to him in my said Will, and declare the same and every part and parcel thereof, and the uses and privileges connected therewith to be annulled and revoked. — And, I hereby bequeath to the Most Reverend Ambrose Marechal the sum of Three Thousand Dollars. —

12th — I hereby revoke and annul so much of my aforesaid last Will and Testament as may be inconsistent with this Codicil, and in all other respects ratify and confirm the said Will.

In Testimony Whereof, I have hereunto set my Hand and affixed my Seal this fifth day of February in the year of our Lord One Thousand Eight Hundred and Twenty Seven. —

Charles Carroll of Carrollton



Signed, Sealed, Published and Declared by the above named Charles Carroll of Carrollton the Testator therein mentioned, as and for a Codicil to his Last Will and Testament, in the Presence of us, who, at his request, in his presence, and in the presence of each other have subscribed our Names as Witnesses thereto.

Roswell L. Colt.

John Thomas.

R. B. Taney.

Baltimore County, Ls. — On the 13th day of February 1834 came John Thomas one of the subscribing Witnesses to the foregoing Codicil.

the last Will and Testament of Charles Carroll of Carrollton deceased and made oath on the Holy Evangelys of Almighty God that he did see the Testator sign and seal this Codicil that he heard him publish, pronounce and declare the same to be a Codicil to his last Will and Testament that at the time of his so doing he was to the best of his apprehension of sound and disposing mind memory and understanding and that he together with Roswell S. Colt and R. B. Taney the other two subscribing Witnesses thereto subscribed their names as Witnesses to this Codicil, in his presence at his request and in the presence of each other. Sworn to in Open Court.

Test: D. M. Perine, Register of Wills for Baltimore County.
Baltimore County, Is:— On the 20th day of February 1834 came Roswell S. Colt one of the subscribing Witnesses to the foregoing Codicil to the last Will and Testament of Charles Carroll of Carrollton deceased, and made oath on the Holy Evangelys of Almighty God that he did see the Testator sign and seal this Codicil, that he heard him publish, pronounce and declare the same to be a Codicil to his last Will and Testament that at the time of his so doing he was to the best of his apprehension of sound and disposing mind memory and understanding and that he together with John Thomas and R. B. Taney the other two subscribing Witnesses thereto, subscribed their names as Witnesses to this Codicil, in his presence at his request and in the presence of each other. Sworn to in open Court.

Test: D. M. Perine, Register of Wills for Baltimore County.
Baltimore County, Is:— On the 15th day of September 1834 came R. B. Taney one of the subscribing Witnesses to the foregoing Codicil to the last Will and Testament of Charles Carroll of Carrollton deceased, and made oath on the Holy Evangelys of Almighty God that he did see the Testator sign and seal this Codicil, that he heard him publish, pronounce and declare the same to be a Codicil to his last Will and Testament, that at the time of his so doing he was to the best of his apprehension of sound and disposing mind memory and understanding, and that he together with Roswell S. Colt and John Thomas the other two subscribing witnesses thereto, subscribed their names as Witnesses to this Codicil, in his presence, at his request and in the presence of each other.—Sworn to in open Court.

Test: D. M. Perine, Register of Wills, for Baltimore County.
I, Charles Carroll, of Carrollton, do make this my second Codicil to my last Will and Testament.

In my first Codicil, I have devised to my Grandson Charles Carroll his heirs and assigns, all my Lands called Doughoragen Manor, or Doughoragen Manor Enlarged, with all my lands adjoining the said tract or either of them; and in the event of his dying without issue male, living

at the time of his death, or in ventre sa mere, I have by the same codicil, devised over the same lands, among the families of my said Grandson and my two daughters: as by the said codicil appears.

It has always been my desire to secure the said lands, to the male branch of my family, as long as the laws of this State will permit; and as my said Grandson has at this time two sons, I have determined to change the disposition heretofore made of these lands, and do now devise as follows:

I give and devise all my lands called Doughoragin Manor, and all my lands called Doughoregan Manor Enlarged, and all my lands adjoining the said tracts of land or either of them, to my Grandson Charles Carroll: to hold to him during his natural life; and from and after his decease, I give and devise all the said lands to my great-grandson Charles Carroll, eldest son of my said grandson, for and during the term of his natural life: and from and after the decease of my said great-grandson Charles Carroll, to remain to the first son of my said great-grandson, and the heirs male of the body of such first son lawfully issuing; and for default of such issue, then to the second, third, fourth, fifth and sixth, and all and every other sons of my said great-grandson Charles Carroll, to be lawfully begotten, and to the heirs male of their bodies, respectively, the elder of such son or sons, and the heirs male of his body lawfully issuing, always to be preferred, and to take before the younger of such sons, and the heirs male of his body: - and in default of such issue, then I give the said lands to my great-grandson Thomas Lee Carroll, second son of my said grandson, for and during the term of his natural life; and after his decease, to remain to his issue, in tail male, in such manner as I have limited the same to my great-grandson Charles Carroll, and his issue male: and in default of such issue, then to the third son of my grandson Charles Carroll, and to the heirs male of the body of such third son, lawfully begotten and for default of such issue, then to the fourth, fifth and sixth, and all and every other sons of my said grandson Charles Carroll lawfully begotten and to the heirs male of their respective bodies; - the elder of such son or sons and the heirs male of his body, lawfully begotten, always to be preferred, and to take before the younger of such sons and the heirs male of his body: and in default of such issue, then, the one undivided third part of the said lands to remain to the right heirs of my said grandson Charles Carroll, forever. One other undivided third part, to my daughter Mary Caton her heirs and assigns; and the remaining third part to my daughter Catharine Hooper her heirs and assigns.

In my Will, I have given to my daughter Mary Caton, certain lots in the City of Annapolis, and among them, my lot adjoining my former dwelling house, upon which my Coach-house stands: - I hereby declare

that in that devise, I intended to give all of the ground to the waters-edge, as a part of the said lot, and direct that the said devise shall be so construed and understood. And it is my Will that all of the property real and personal, devised and bequeathed to the trustees mentioned in my Will and codicil, upon certain trusts therein mentioned, shall be and remain subject to the said trusts, not only in the hands of the said trustees, but in the hands of the Survivors and survivors of them, and the heirs, Executors and administrators of the survivor.

In my book of family accounts, marked **F.A.** I have caused the accounts of my advances, made to the family of my deceased son, and of my two daughters, to be carefully revised, and balanced to the twentieth day of November eighteen hundred and twenty nine; and I have ascertained that up to that day, I have advanced to the family of my daughter, Mary Caton, Fifty four thousand three hundred and thirty two dollars and ninety two Cents; to the family of my deceased son Charles Carroll, one hundred and seven thousand four hundred and fifty one Dollars and sixty seven cents; and to the family of my daughter Catharine Harper, One hundred and four thousand three hundred and five dollars and fifty three cents: and I do hereby ratify and confirm the balances so struck in my said book marked **F.A.** and declare the sums above mentioned to be the amount advanced to the respective families of my three children, to the twentieth day of November in the year eighteen hundred and twenty nine: which said several advances are to be accounted for and allowed in the distribution of the general residuum of my Estate, in the manner directed in my Will. - The sums of money charged against my grandsons Charles Carroll and Charles Carroll Harper as administrators of their respective fathers are included in the balances above mentioned, and are not to be charged to my said two grandsons individually, but to be allowed as a charge against their respective families, and form a part of the general balance herein before mentioned: - and the sums charged to my grandson Charles Carroll Harper individually are to be allowed as a charge against the share of the residuum of my Estate bequeathed to him and his brother and sister, and are not to be deducted from his proportion of that share in the division thereof between him and his brother and sister. -

In my Will, I have given, among other things, One third of my Slaves on Doughoregan Manor (except those on that part of the Manor called the Folly,) to the four daughters of my daughter Mary Caton. - I hereby revoke so much of the said bequests as relates to the said one third of the said Slaves so given to the children of my daughter Mary Caton and I do hereby give and bequeath the said one third to my grand-daughter

ter Emily Mac Tavish. -

I transferred to my grand-daughter Emily Mac Tavish, Two hundred Shares of Stock in the Bank of the United States, in the month of November last; the said shares were transferred to her as a gift, and I do hereby ratify and confirm it.

The sums charged in my book marked **F.A.** advanced, or to be advanced for the education of my great-grandson Charles Carroll MacTavish, are not to be charged against any bequest made to his mother or father, in my Will or codicils.

I hereby direct my Executors to pay to A. Brown and Sons, five hundred pounds Sterling, which they the said A. Brown and Sons have loaned to my grand-daughter Elizabeth Eaton, and the payment of which I have guaranteed to them: Which said sum so to be paid, I intend as a gift to my said grand-daughter, and hereby so declare it. -

I direct that Julia, the mother of my servant Bill, shall be allowed to live on Doughoregan Manor, during her life, and be provided for and supported by my grandson Charles Carroll.

I hereby revoke so much of my said Will and first Codicil, as may be inconsistent with the directions and bequests contained in this my second Codicil, ratifying in all other respects my said Will and first Codicil. -

In Testimony Whereof, I have hereunto set my hand and affixed my seal, on this fifth day of January in the year of our Lord Eighteen hundred and thirty.

Ch. Carroll of Carrollton



Signed, sealed, published and declared by the above mentioned Testator, as and for his second Codicil to his last Will and testament, in the presence of us, who, at his request, in his presence, and in the presence of each other, have subscribed our names as Witnesses thereto.

R. B. Taney.

Matth^r Bathurst.

R. W. Fisher.

Baltimore County, Is:— On the 13th day of February 1834 came Matthew Bathurst one of the subscribing Witnesses to the foregoing second Codicil to the last Will and Testament of Charles Carroll of Carrollton deceased, and made oath on the Holy Evangel^y of Almighty God that he did see the Testator sign and seal this Codicil, that he heard him publish pronounce and declare the same to be a second Codicil to his last Will and Testament, that at the time of his so doing, he was to the best of his apprehension of sound disposing mind, memory and understanding, and that he together with R. B. Taney and R. W. Fisher, the other two subscribing Witnesses thereto, subscribed their names as Witnesses to this Codicil, in his presence at his request.

and in the presence of each other. - Sworn to in open Court.

Test: D. M. Perine, Register of Wills for Baltimore County.

Baltimore County, Is: - On the 7th day of March 1834 came R. W. Fisher one of the subscribing Witnesses to the foregoing second Codicil to the last Will and Testament of Charles Carroll of Carrollton deceased and made oath on the Holy Evangelys of Almighty God that he did see the Testator sign and seal this Codicil, that he heard him publish pronounce and declare the same to be a second Codicil to his last Will and Testament, that at the time of his so doing he was to the best of his apprehension of sound, disposing mind, memory and understanding, and that he together with R. B. Tancy and Matthew Bathurst the other two subscribing Witnesses thereto; subscribed their names as Witnesses to this Codicil, in his presence at his request and in the presence of each other. - Sworn to in open Court.

Test: D. M. Perine, Register of Wills for Baltimore County.

Baltimore County, Is: - On the 15th day of September 1834, came R. B. Tancy one of the subscribing witnesses to the foregoing second Codicil to the Last Will and Testament of Charles Carroll of Carrollton deceased, and made oath on the Holy Evangelys of Almighty God that he did see the Testator sign and seal this Codicil, that he heard him publish pronounce and declare the same to be a second Codicil to his last Will and Testament that at the time of his so doing he was to the best of his apprehension of sound, disposing mind, memory, and understanding, and that he together with Matthew Bathurst and R. W. Fisher the other two subscribing Witnesses thereto, subscribed their names as Witnesses to this Codicil in his presence at his request and in the presence of each other. - Sworn to in open Court.

Test: D. M. Perine, Register of Wills for Baltimore County.

Whereas, I Charles Carroll of Carrollton, of Baltimore City in the State of Maryland, have heretofore made and duly executed my last will and testament, in writing, bearing date on the second day of September, in the year Eighteen hundred and twenty five, and since the execution thereof have annexed sundry Codicils thereto; and whereas since the execution of my said last will and testament, I have also made sundry dispositions of portions of my Estate, real, personal and mixed, and have done various acts affecting the same, which dispositions and acts are not mentioned in my said last Will and testament, or in any of the Codicils thereto; and whereas it is my anxious desire that the property which I may die possessed of, or which I may heretofore have disposed of or in any way affected by any act of mine, or any part thereof, - may not become after my death, a subject of litigation among my heirs or devisees; but that the disposition which I have made of the same, or any part of it, by deed, last will and testament and the Codicils thereto, or otherwise, may remain with-

out impeachment, by any person or persons, claiming or to claim, in any manner by from or under me, as heirs, devisees or otherwise. I do therefore make this my Codicil, which I will and direct shall be taken and held as a part of my said Will and testament in manner and form following, that is to say, - I do declare it to be my will and intention, that if any person or persons, claiming or to claim, any interest or estate whatever, by from or under my last will and testament, and the codicils thereto, or by from or under any other act or deed of mine bearing my signature; or the heirs of such person, or persons, or any of them, shall directly or indirectly attempt by suit in law or in equity, or in any other manner, to set aside, alter, impair disturb or interfere with, any disposition, which I have heretofore made of my said property or any part thereof, by last will and testament and the codicils thereto, by deed, by writing bearing my signature or otherwise, or who shall not stand to and abide by the same: according to the true intent and meaning thereof; that then and from the time of such attempt, such person or persons so making, or causing to be made the same, shall forfeit and be deprived of all devise, bequest, legacy, estate or interest, made or created in his, her or their favor, in and by my said last will and testament, and the codicils thereto; and the property or estate real personal or mixed, so forfeited, shall immediately vest in the Executors of my said last will and testament, and the survivors of them, and the heirs of such survivor, with full power to sue for and recover the same, should the person or persons so forfeiting refuse the peaceable delivery thereof; and my said Executors and the survivor of them and the heirs of such survivor, shall hold the property so forfeited as aforesaid, in Trust, for the children of the persons so forfeiting, the revenue accruing on the estate so forfeited, to be applied in the discretion of my said Executors, and the survivor of them, to the maintenance and education of such children, investing the surplus revenue, if any, in such manner, as my said Executors, and the survivor of them may deem best, until the death of the person or persons so forfeiting as aforesaid, when and not before, the property so forfeited, together with the increase thereof, shall be transferred to such child or children in the manner indicated by my said last will and testament; or in the absence of such indication in the proportions prescribed by the laws of Maryland, with regard to the distribution of intestates Estates; and if the person or persons so forfeiting as aforesaid shall have no children at the time of such forfeiture, then my said Executors and the survivor of them and the heirs of such survivor shall within one year, after the forfeiture aforesaid, or whenever they shall receive the same, distribute the property so forfeited among my heirs at law, according to the legal distribution of the Estates of Intestates.

In Testimony Whereof, I have hereunto set my hand, and affixed

my seal, this eighteenth day of November in the year of our Lord one thousand eight hundred and thirty one.

Ch. Carroll

of Carrollton



Signed sealed published and declared by Charles Carroll of Carrollton, the above named Testator as and for a codicil to his last will in the presence of us, who at his request in his presence and in the presence of each other have subscribed our names as witnesses thereto.

Matth^r Bathurst.

John White.

Rob^t Barry.

Baltimore County, Is:— On the 13th day of February 1834, came Matthew Bathurst and Robert Barry two of the subscribing Witnesses to the foregoing third Codicil to the last Will and Testament of Charles Carroll of Carrollton deceased and made oath on the Holy Evangelists of Almighty God, that they did see the Testator sign and seal this Codicil, that they heard him publish pronounce and declare the same to be a third Codicil to his last Will and Testament, that at the time of his so doing he was to the best of their apprehensions of sound, disposing, mind, memory and understanding and that they together with John White the other subscribing Witness thereto subscribed their names as Witnesses to this Codicil, in his presence, at his request and in the presence of each other.—Sworn to in open Court.

Test: D. M. Perine, Register of Wills for Baltimore County.

Renunciation of
Robert Oliver

Richard Caton &
John M. Farish.

To the Worshipful the Justices of the Orphans Court for Baltimore County.—

We the undersigned named and appointed Executors of the last Will & Testament of Charles Carroll of Carrollton, late of Baltimore County deceased, do refuse to act as Executors of said Will; and do hereby renounce all our right to Letters Testamentary upon the Estate of the said deceased, and all right title and claim that we may have, or could have had under and by virtue of said appointment.— In Testimony Whereof, we hereunto subscribe our Names this thirteenth day of February in the year Eighteen hundred and thirty four.

Witness

D^r M. Perine.

Robert Oliver.

Rich^d Caton.

John M. Farish.

Received to be recorded on the 13th day of February 1834. Same day filed and recorded and examined. Test: D. M. Perine, Register of Wills for Baltimore County.