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In the Name and Good will of God The Holy.

I Augustine Herman Bohemian, Doe here with Declare, That this present Writing, is & Shall
The first Author of Bohemia Mannour, shall be divided into my Depuleher, which is to be in my Vingard upon the Mann. plant
In Thompson, shall be my Executors, equally impowred for the intent and purpose of the Certaintments hereinares named to be
Confirmed the 9th day of August this present Year, With my said Down Ephraim my Bohemia Mannour (as the same is grant
made by his Majesties peculiar licence & authority printed, and afterwards confirmed by his Successor King Charles
the 1st fol. 38. may more at large appeare) with a license that due respect shall be had to the Certaintments, and that
for ever be alienated, if in what I have my self done, to Peter Douglas alias Workman, Jasper Vanhook alias Shilders, Pie
Company, Under such Rent & Services, as is reserved by Conveyances in date of the 11th of August this present Year, but so
long, & no longer; and upon those terms & Considerations, I doe here by further give, bequeath & devise, unto my said do
supposing between to returne afterwaies to the right male heir againe: my abovesaid Bohemia Mannour. To His
and appendant pertinents whatsoever; but by extint, Of the aforesaid lines, then it shall descent to
aboves named, and during their Naturall lives, and after those to descent further, and be inherited, by the legal he
irly from his body lawfully begotten, and by extint of those then to descent & be entailed, to the legal he
irly, any law, Custom or statute, to the contrary notwithstanding, with charge, to all & severall whatsoe ever possession
holders, tenants, by their Ancestors Name Augustine, or for his inheritance, to the next male heire, AND
Casparus, and to his lineall posterities legally descending from his body, as a peculiar inheritance, to be had & receiv
aboves, as it is contained to me, by the right Honourable Charles, the second Absolute Lord & Proprietor of this p
with all appurtenances, appoynted & appointed to be had, and during his naturall life, and afterwaies, to be had
right male heir againe. But by extint of either of them, to descent and be entailed, to the legal heires a
passing from one line to the other, as is expressed and specified here before with Bohemia Mannour. Item, I doe here
Judith and Francina, and to their legal heires & posterities from their bodies lawfully begotten, They are Tracts of l
Land & proprietary Charles aforesaid, in One Patent named, the three Bohemian Sisters, formerly called Miss
aires, as further appeares by his said Lordships grant, in tract. in records lib. C.B. n^o. fol. To have & t
namely Anna Margarita & her Posterity aforesaid, I have delivered in possession, the first Neck or tract of l
manns Backriver, between Margets & Smiths Creeks, all the land up to Elk river head and come from Jassafraip & b
adjacent tract of land Eastward, viz 1 from the aforesaid Judiths Crook alongs backriver to a little gull hard by the
land which is contained between the said Naturall bounds and Elk river Road aforesaid, AND, To my third daug
Eastward from the said St Georges Road along up backriver: Run to Elk river: and thus alonge the
trades of the said three Bohemian Sisters patent being their Naturall bounds, by Bohemia Mannour, the said back
grace and Bohemia on the North & East: the annual quitrent to be paid proportionably to the quantity of
part of the out of my said three daughtes, that inheritance, shall be entailed to the other two, and last be for ever
mine as aforesaid. But, and if it should be the will of God, That all my aforesaid posterall lines in name to come, sh
with my said devise, and I commit the abovesaid three distinct Estates, into the custody of the most Honourable Generall
& propriety of a free Donative Schoole & Colledge, with divine protestant Ministers, hospitally & relief of poor &
Establishment upon the said Estates and the revenues thereof Under such Trustees & Overseers, as their Direction from t
in default of any performance by the perpetual name of the Augustiny Bohemians to cross praise & glory in Extremis, I
doe here by The Upper & Lower house of this Province, That this will of Certaintments may be passed into an act of C
part of my other Temporall Estate, giving them what further hereinares disposed after my decease, my Just debts fi
Commit my Soul to Jesus Christ my Redeemer, my body to the Earth for a happy resurrection, Proclaiming, Confess
annulling all other Contrary to this, Written with my own hand, signed with my own Name, and sealed with my own
witnessed & signed, & four, at my house upon Bohemia Mannour, in the tenth year, of the Bohemia of Charles

GOD THE HOLY TRINITY, Amen.

Writing, is & shall be my last will & Testament, namely: That my Monument Stone will judge, ^{Letters} as it shal
 d upon the Mann^r plantation in Maryland, AND That my son Ephraim with my friend John Caspari and my son in law
 s hereunder named to be duly respected, and first, Having considered by a deed in writing bearing date the 27th day of March &
 one (as the same is granted) to me by Calixtus the first absolute Lord & Proprietary of Maryland, for designing the publick
 successions done Charles the second absolute Lord & Proprietary, by a patent of augmentation, in that he records, libel
 & indentments, and that no land by him nor any of his heirs shall be within the bounds of the said patent, absolute Lord &
 landholders as well Peter Bayard, John Moll, and Arnold La Grange, as Sutors & freeholders of Bohemia Mann^r was the
 in present time, but so in Call County record, only, to lease Tenements from time to time for some lives, or twenty, one
 & devise unto me said Ephraim, and to his heirs male from his body lawfully begotten, diverse wife, & female
 remoua Maxonou, To HAVE & TO HOLD the same, enduring their Natural lives, with all appurtenances, perquisites
 & descent to
 line & posterities, originally lawfully begotten from the body of my second son Caspari
 inherited by the legal posterities of my daughter Anna Margareta, after these by the posterities of my second daughter
 d, to the legal lineall posterities of my third daughter Francina, originally from her body lawfully begotten, & not other
 posterities, & possession of Bohemia Mann^r as aforesaid, that by their entire they shall add to their Christian names, w
 in the
 And further more, I doe hereby in like manner, give bequeath, and devise unto my aforesaid son
 & posterities of Bohemia Mann^r Middle neck, called little Bohemia, except to the gratuity for designing the Bohemia Mann^r
 & possession of this Province by patent, in that in record libel, & libel, to, To HAVE & TO HOLD the same
 and after me, to be holden successively by his Male heirs, & female happening & to come, to remain afterwards to be
 to the lawful heirs and posterities of my three daughters, Anna Margareta, Susi, & Francina above named
 mine. I doe hereby further and moreover give bequeath & devise unto my said three daughters, Anna Margareta
 then, Three Tracts of land, lying on the Northside of Bohemia Back River, Confirmed to me by the Right Honourab
 s formerly called Mistaken, by Speciall Warrant, containing the quantity of four thousand & one hundred
 fol. To HAVE & TO HOLD the same, as their proper Ovine & peculiar inheritance, by the following Partitions,
 the first Neck or tract of land, within the west bounds of the said three Bohemian Sutors patent, viz from along the
 oms from Sabafrage & Bohemia, AND, to my second daughter Susi, I have delivered veal possession of the next
 a little gull hard by the hart road, which goes from thence over to St Georges upon a lower, and so equally all the
 AND, to my third daughter Francina, I doe here with appoint for her inheritance, the upper most neck of land on the
 and this along the said Elk River Road northerly & all it meets with the said hart road, & the neck of
 & the said hart road on the South, by Margets creek on the West, by Elk River Road, which runs now from Sabaf
 rably to the quantity of acres, every tract of land as aforesaid containing, My Will being further that by extent of
 so, and last be for ever continued, to the longest lives of them all, to gether with Bohemia Mann^r, and also with the
 all lines in time to come, shall cease, and be taken out of this world, and no other new relations appear, Then, I doe here
 at Honour the general assembly of this Province of Maryland, in the upper & lower house, being for the use & propagation
 cally & relief of poor & distressed people & have cause to be by the said general honourable Assembly Erected and
 three Decretion from time to time shall think fit to ordaine & appoint for to maintain that pious work, unto
 is & glory in evermore, Humbly praying to the Right Honourable The Lord & Proprietary and most Honourable Council
 be passed in to an act of confirmation to perpetuity. Finally, having beforesaid distributed to my children most
 done, my just debts first being fully paid, to be equally Enjoyed, AND thus leaving this Transitory world
 on, proclaims, confirm and testify, what is declared here before as one written to be my very last will & Testament
 and sealed with my own seal, Dated the 27th day of September, Anno Domini One thousand six
 hundred & thirty seven, Charles the second absolute Lord & Proprietary of the Province of Maryland, the patenting in
 By myself

My Augustine Herman Polerman
 Notary. 63.

COPY OF THE WILL OF AUGUSTINE HERRMAN,
OF BOHEMIA MANOR.

BY GILBERT COPE, WEST CHESTER, PENNSYLVANIA.

[In the year 1863 I examined a lot of papers in the hands of the late Dr. George Smith, of Upper Darby, which had come into the possession of his father, Benjamin H. Smith, of Haverford, who practised conveyancing in the last century. Among these papers I found the will of Augustine Herrman, of which I made a lengthy abstract, though at that time I had no further knowledge of this prominent individual. Since that time various sketches of this personage have appeared (see *New York Genealogical and Biographical Record*, IX. 57, XX. 47, XXII. 1, 57; PENNA. MAGAZINE, VII. 88; "Johnston's Cecil County, Md.," etc.), but the recent claim that he was born about 1605 may require modification. Through the kindness of Benjamin H. Smith, of Philadelphia, the son of Dr. George Smith, the original will has been placed at the service of the editor, and a prototype reproduction, as well as a careful letter-press copy, is herewith presented. It is on parchment, measuring fourteen and an eighth inches in horizontal width and thirteen and a quarter in length. The names of the witnesses have been cut off. The will is recorded, or partly recorded, in Liber G. folio 228, in the office of the Register of Wills of Anne Arundel County, Annapolis, Maryland, to which office the records of the Commissary-General's office were transferred. It was proven November 11, 1686, and the witnesses appear to have been Edward Jones, Samuel Wheeler, Robert Kemble, Richard Edmonds, and George Oldfield, but the record is said to be very incomplete. In connection with this subject the following Act of Assembly is interesting:

"An Act confirming and making Valid the last Will and Testament of Augustine Herman, late of Cæcill County, Gent: as it now Stands Recorded in the Commissary Generalls Office of this Province :

"Whereas The Last Will and Testament of Augustine Herman late of Cæcill County, Gent, deceased, duly proved and entered upon Record in the Commissary Generalls Office in this province in year our Lord God one Thousand Six Hundred Ninety and one, upon search for the same was found to be imbezelled, feloniously purloyned, taken Carried and Conveyed away out of the Said Office So that no Such Record remained thereof. And whereas upon y^e petition of Mathias Vanderhayden of Cæcill County, Gent, a Copy of the Said Will proved to be in effect a true Copy thereof was by the last Generall Assembly of this province

ordered to be entered upon Record in the Said Office and the petitioner Mr. Mathias Vanderhayden offered to petition the next assembly For Confirmation thereof.

“Be it Enacted by the King and Queens most Excellent Ma^{ties} by and with the advice and Consent of this present Generall Assembly and the authority of the Same That the Said Will So proved and entered upon record as aforesaid Shall and is hereby deemed and taken to be as sufficient and valid and in as full force power effect and Virtue as if the Same Really & bona fide were the prime Originall record of the aforesaid Will and Shall Extend and enure to all and every the effects and purposes therein and thereby declared, any Law, Statute or usage to the contrary in no wise notwithstanding.”—*Laws of Maryland*, Liber LL, No. 2, p. 56.]

IN THE NAME AND GOOD WILL OF GOD, THE HOLY TRI-UNITY,
Amen.

I Agustine Herrman Bohemian, Doe herewith Declare, That this present Writting, is, & shall bee my laest will & Testament, Namently: That my Monument Stone with jngraphen Letters of Mee The first Author of Bohemia

A^o 60

Mannour [^] shall bee Erected ouer my Sepulcher, wich is to bee in my Vinyard uppon the Mann^{er} Plantation in Maryland, AND, That my Sonn Ephraim with my Second Sonn Casparus and my Sonn in Law Jn^o Thompson, Shall bee my Executors, equally jmpowred for the jntent and Purpos of the Entailments hereunder Named to bee Duely Inspected, And first, Having Covenanted by a Deed in Writting bearing date the 25th day of March & Confirmed the 9th day of August this present Year, With my said Sonn
for

Ephraim [^] my Bohemia Mannour, (as the Same is granted to mee by Cæcilius, the first Absolut Lord & Proprietary of Maryland, for Geographing the Publicq Mapp by his Majesties peculiar licence & Authority printed, and afterwards Confirmed by his Succeeding Sonn Charles, the Second

as

absolut lord & Proprietary [^] by y^r Pattent of Augmentat-
tion, jntrat^r in recordo, lib^r C B. N^o 3. fol. 38. may more at

large Appiare.) with a Proviso, that due respect shall bee hath to the entailments, and that no land by him nor any of his heires shall bee within the bounds of the said pattent, absolutly Sold & for Ever alienated, then what I have my Self Done, to Pieter Sluyter alias Vorsman, Jasper Danc-karts alias Schilder, Pieter Bayard, John Moll, and Arnold La Grange, as Suitors & freeholders of Bohemia Mann^{or} with their Company, Vnder Such rent & Services, as is reserued by Convayance in Date Of the 11th of August this present Year, entred in Cæcil County record, Onely, to
expired

lease Tenements from time to time, for three lives, or twenty One Years, & no longer; and uppon those terms & Considerations, I doe hereby further give, bequeath & devise, unto my said Sonn Ephraim, and to his Heires Male from his body lawfully begotten, durande vitæ, (femals happening between, to return afterward to the Right male heir againe,) my abouesaid Bohemia Mannour, TO HAVE & TO HOLD the Same, enduering their Naturall lives, with all appurtenances, perquisits and Appendant pertinents whatsoever: but, by extinct, Of the aforesaid lines, Then it shall descent to lines & posterities, Orriginally lawfully begotten from the Body of my Second Sonn Casparus aboue named, enduering their Naturall lives, and after those, to descent further, and bee jnharited, by the legall posterities of my daughter, Anna Margaritta, after these by the posterities of my Second daughter, Judith, from her body lawfully begotten, and by extinct of those, then to descent & bee entailed, to the legall lineall posterities of my third daughter Francina, orriginally from her body lawfully begotten, & not otherwise, any law, Custom, or presidents, to the Contrary notwithstandinge, with charge to all & eury Inharitor & possessours of Bohemia Mannour as abouesaid, that by their Entrie, they shall add to their Christen name, and Subscribe themselves, by their Ancestours Name AUGUSTINE, or forfeite their jnharitance to the next heir in Taile. AND FURTHERMORE, I doe hereby in like Manner, give, bequeath and devise, unto my aforenamed

Sonn Casparus and to his lineall posterities, legally descent-
 not to bee Sold but leased as aboues^d
 ing from his Body, as a apeuliar jnhritance, my Bohemia
 river Middelneck, called little Bohemia, anext to the gra-
 tuity for geographing the Publicq Mapp aboues^d as it is Con-
 firmed to mee, By the Right Honourable CHARLES, the
 Second absolut Lord & Proprietarie of this Province, by
 Pattend, jntrat^r in recordo lib^r C B. N^o 3. fol. 40. TO HAVE
 & TO HOLD the Same, with all appurtenances, appen-
 dancies & perquisits Whatsoeuer, enduring his Naturall
 life, and afterward, To bee Holden, Successively, by his
 Male Heires, females happening between, to return after-
 wards to the right Male heire againe, But by Extinct of
 either of them, to descent and be Entailed, to the Lawfull
 heires and Posterities of my three daughters, Anna Marga-
 ritta, Judith & Francina aboue named, passing from one
 line to the other, as is expressed and Specified here before
 with Bohemia Mannour. ITEM, I doe hereby further and
 Moreouer give bequeath & devise Unto my Said three
 daughters, Anna Margarita, Judith and Francina, and to
 their legall heires & Posterities from their Bodies Lawfully
 begotten, Three Tracts of land, lying on the North Side of
 Bohemia Back river, Confirmed to mee by the Right Hon-
 ourable Lord & Proprietary Charles afores^d, in one Pattend,
 named the three Bohemian Sisters, formerly Called Mis-
 fortun, by Speciall resurvay, Containinge the quantity of
 foure thousand & One hundred acres, as further appeared
 by his Said Lordships graund, intrat^r in recordo lib^r C B.
 N^o fol.

TO HAVE & TO HOLD THE SAME, as their Proper
 Owne & Peculiar jnharitances, by the following Partition
 to

Namently, Anna Margaritta & hur Posterity aforesaid,
 I haue delivered in possession, the first Neck or tract of
 land, within the west bounds of the said three Bohemian
 Sisters pattend, viz. from alonge the maine Backriver, be-
 tweene Margets & Judiths Crecks, all the land up to Elck-
 river Road, wich coms from Sassafracx & Bohemia, AND,

to my second daughter Judith, I have deliuered reall possession of the next adjacent tract of land, Eastward, viz, from the afores^d Judiths Creek alonge backriver To a little gutt hard by the kart road wich goes from thence ouer to S^t Georges uppon Delowar, and so equally all the Land wich is Contained between the said Naturall bounds and Elkriver Road aforesaid, and, To my third daughter FRANCINA, I doe herewith appoint for hur jnharitance, the uppermost Neck of land, on the East (viz.) from the Said S^t Georges kartroad alonge up backriver runn, to Elkriver road afores^d, and thus alonge the said Elkriver road Northerly Vntill it meets with the said kartroad againe, the whole three tracts of the said three Bohemian Sisters pattent, beeing thus Naturally bounded by Bohemia Backriver alias Backcreek on the South, by Margets Creek on the West, by Elekriver road, w^{ch} coms now from Sassafracx and Bohemia on the North & East. the anuall quittrent to bee paid proportionably to the quantity of acres, every tract of land as aforesaid Containinge. My Will being further, that by ex-
that

tinct of Issue of the One of my said three Daughters [^] that jnharitance Shall bee entailed to the other two, and laest bee
all

for Ever entailed, [^] to the longest liver of them all, to gether with Bohemia Mannour, And also litle Bohemia as aboue-said. BUT, and if it should be the will of God, That all my aforesaid posteriall lines in time to com, Shall Cease, and bee taken Out of the world, and no other near relations appeare,
at Interim

THEN, I doe here with crave leave to Depose and [^] Comitt
& protection
the abouesaid three distinct Estates, into the Custody [^] of the Most Honourable Generall Assembly of this Province of
from time to time

Maryland, in the Upper & Lower house [^] Sitting, for the Use & propagation & propriety of a ffree Donative Scoole & Colledge, with Divine protestant Ministry, hospitalls & reliefe of poore & distressed People & travellars, to bee by

the said Generall honourab^l Assembly, Erected and Established, uppon the said Estates and the revenues thereof, vnder Such Trustees & Overseers, as their discretion from time to time shall thinck fitt to Ordaine & appoint, for to mannatch that Pious work, jnto an actuall living performance by the perpetuall name of the Augustiny Bohemians, to Gods praise & Glory for Evermore; Humbly praying To the Right Honourab^l The Lord & Proprietary and Most Honour^{bl} Council & delegates assembled in The Upper & Lower house, of this Province, That this will of Entaile-with its premisses & habendum

ment, may bee passed into an Act of Confirmation to Perpetuity. Finally, having beforehand distributed to my Childeren, most part of my Other Temporall Estate, giving shall

them what further, bee remaining vndisposed after my decease (my Just debts first beeing fully payd,) to bee equally Enjoyed, and thus leaving this Transitory world, Comitt my Soul to Jesus Christ my Redeemer, my Body to the Earth for a happy Restauration, proclaime, Confirm and Ratify, what is declared herebefore aboue written to bee my very laest will & Testament annulling all other Contrary to this, Written with my owne hand, Signed with my owne Name, and Sealed with my own Seale, Dated the 27th day of September Annoq Dom. One thousand Six hundred & Aighty & four, at my house uppon Bohemia Mannour, in the Ninth year of the Dominion of CHARLES, the Second absolut Lord & Proprietary of the province of Maryland, The jnterlinings jnserted by my Self.

AUGUSTINE HERRMAN BOHEMIAN
(SEAL) Ætatis. 63.