

Will, DE, New Castle, ROBERT BRYAN 1764

Will of **ROBERT BRYAN** deceased

proved October 12th 1764

Miscellaneous records

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In the name of God Amen.

Hi **ROBERT BRYAN** of the county of New Castle, in Delaware, yeoman being sick and weak in body but sound and perfect in mind and memory, thanks be to almighty God for it, do make, ordain, constitute and appoint this to be my last will and testament, hereby revoking and disannulling all other former wills and Testaments to being heretofore by me made allowing this and only this to be my last will and testament which is in Manner and form following viz.

FIRST I recommend my soul into the hands of almighty God who gave it hoping in him alone to find acceptance through the merits, mediation and intersection of Lord Jesus Christ and secondly I do commit my body to the earth to be buried at the discretion of my executor is here after named and as to what worldly a state and goods it has pleased God to bless me with I do give and disposed of as followeth.

ITEM that after the payment of my funeral charges and all my just debts I do give and bequeath unto my beloved wife the rents, issues and profits of the 1/3 part of my real estate during her natural life. I also give and bequeath unto her, my said wife **HANNAH [BRYAN]**, all the household goods and furniture which she brought with her at the time of our marriage, and also the same horse which was formerly hers. I also give and bequeath unto her, my said wife **HANNAH**, the sum of £100 to be paid to her by my executors hereafter named for her part of my estate. It is also my will that myself wife **HANNAH** shall have the possession, use, and profit of my negro woman named CITO until my son **ROBERT** arrives of age of 21, at which time it is my will that the said negro CITO, if then living, be returned on to my said son.

ITEM where is whereas it is visible that my wife **HANNAH** is now pregnant and by all appearance far gone with child, it is my will that if she should be delivered of a male child I do hereby give and bequeath unto that child the interest of £200 to be paid yearly towards the raising and educating such child and the principal sum to be reserved and if the said child should be a female it is my will that it shall have £150 to be applied as aforesaid and if the aforesaid child should die before it comes of age it is my will that its fortune shall descend to my son **ROBERT**.

ITEM I give and bequeath unto my brother **NATHANIEL [BRYAN]** my blue suit of clothes to hold to him my set brother for his part of my estate.

ITEM I give and bequeath unto my brother **CHARLES [BRYAN]** my brown suit of clothes to hold to him my set brother for his part of my estate.

ITEM I give, devise and bequeath unto my son **ROBERT BRYAN** all the rest of my estate both real and personal to hold to him, my said son **ROBERT** his heirs and assigns forever, and it is also my will that if either of my said children should die before they come of age or without issue that the survivor of my said children shall enjoy the whole of my state both real and personal to hold to such surviving child its heirs and assigns forever.

I give and bequeath unto my brother **CHARLES [BRYAN]**'s son **ROBERT** the same the sum of £10 to be paid to him by my ears or executors when he arrives at the age of 21 years.

ITEM I give and bequeath to my cousin **ROBERT BRYAN** the son of my brother **JAMES [BRYAN]** deceased the sum of £10 to be paid to him by my executors here after named.

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ITEM it is also my will that if both my children, before mentioned, should die without issue that the whole of my state both real and personal should descend as follow with, viz.

The 1/5 part to my brother **WILLIAM [BRYAN]** and his heirs.

The 1/5 part to my brother **NATHANIEL [BRYAN]** and his heirs.

The 1/5 part to my brother **CHARLES [BRYAN]** and his heirs.

The 1/5 part to the heirs of my brother **ANDREW [BRYAN]** And 1/5 part to the heirs of my brother **JAMES [BRYAN]** to be equally divided amongst them.

And lastly I do hereby nominate, constitute and ordained my brother **NATHANIEL BRYAN** and **CHARLES BRYAN** to be my whole and sole executors of this my last will and testament to see the same executed according to the true intent and meaning thereof.

And I do further nominate and point my cousin's **ALEXANDER PORTER** and **DAVID PORTER** to act as Guardians to my aforesaid children.

In witness whereof I have hereunto put my hand and seal this 21st day of September in the year of our Lord 1764.

ROBERT BRYAN {seal}

Signed, Sealed, published and declared in the presence of us.

PETER TURNER {proved by}
THOMAS REES [REESE]
WILLIAM CLARK {proved by} both sworn Oct 12th 1764

Whereas by my Testament and Will bearing date the 21st day of September in the year of Our Lord 1764, among other things, I willed that I should be buried at the discretion of my executors. My further will is and I do hereby give and bequeath £30 to my executors **NATHANIEL BRYAN** and **CHARLES BRYAN** and therein named to be applied in purchasing tombstone and erecting the same at my grave and if anything remains to be applied in building a wall around Pigeon run graveyard.

ITEM I give and bequeath unto my brother **NATHANIEL** the sum of £20.

In witness whereof I have hereunto set my hand and seal this 5th day of October in the year of Our Lord 1764.

ROBERT BRYAN {seal}

Signed Sealed published and declared in the presence of us,

MARTHA CLARK {seal, her mark} proved
MARY MOOR proved sworn 12th of October 1764

ALEX PORTER JR
THOMAS DUNN
GEORGE MORRIS

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Personally appeared before me **PETER TURNER** and **WILLIAM CLARK** two of the subscribing evidences to the within will and **MARTHA CLARK** and **MARY MOORE** two of the evidences to the within codicil and being duly sworn do declare that they did see and [witness **ROBERT BRYAN** ...] publish, pronounce and declare the [within instrument of writing] as his last will and testament, that [at the time of his signing and sealing] he was to the best of their [knowledge of sound and disposing] mind and memory and that they did sign [their names as evidences thereto] at his request and in I presence, that [**PETER TURNER, WILLIAM CLARK** and] **THOMAS REESE** sign as one other evidence to said [will and **MARTHA CLARK** and **MARY MOORE**] did see **ALEXANDER PORTER** Junr. Sign as [other evidence to codicil there to at] same time.

In testimony whereof [...] at New Castle this
twelfth day of [October 1764 ...]

[... **THEODO]RE MAURICE**, Register Wills

[The text in braces was blocked out on the original and difficult to read.]

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Transcribed from original documents by Brent R. Brian & Martha M. Brian.

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