

Will, DE, Sussex, Caleb Cirwithin 1755

In the name of God Amen.

The first day of February Anno Domini 9 1755 I **CALEB CIRWITHIN** of the county of Sussex upon Delaware human being very sick and weak and body but of perfect mind and memory, thanks be given unto God, therefore calling unto mine the mortality of my body and knowing that it is appointed for all men once to die to make & ordain this my last will and testament that is to say principally and first of all I recommend my soul unto the hands of God that gave it and my body and I recommend to the earth to be buried in decent Christian burial at the discretion of ??? executrix XXX hereafter named nothing doubting but at the general Resurrection I shall receive the same again by The Mighty power of God, and as touching such worldly estate wherewith it hath pleased God to bless me with in this life I guve, demise and bequeath the same in the following manner, viz.

IMPRIMIS. I give and bequeath unto my dearly beloved **MARY CIRWITHIN** the third of my estate ??? movable and my ??? horse, bridle and saddle, and a bed and furniture of her choice, freely to be possessed, to her heirs and assigns ???.

ITEM. I give and bequeath unto my dearly beloved son **JOHN CIRWITHIN** the half of my ??? land, the other part to be sold to pay the ??? and **JOHN** ten pounds to each of the children as shall be hereafter mentioned and the remainder by him freely to be possessed by his heirs and assigns forever.

ITEM. I give and bequeath unto my two sons **CALEB [CIRWITHIN]** and **GEORGE CIRWITHIN** my plantation where I live and mill to be equally divided between them when they come of aged to be freely possessed and enjoyed and to their heirs and assigns forever with all the marsh that I possess.

ITEM. I give unto my daughters **SARAH CIRWITHIN** and **JEMIMA [CIRWITHIN]** and **PHILY [PHIBY CIRWITHIN]** and **MARY [CIRWITHIN]** and **ANN [CIRWITHIN]** and **LYDIA [CIRWITHIN]** all the rest of my movable estate and the ten pounds that **JOHN** is to pay to be equally divided between them and if either of these children should die before they come of age that part shall fall equally among the others by them and their heirs and assigns forever.

And I do hereby constitute make and ordain my said loving wife and my son **JOHN CIRWITHIN** my sole and only executors of this my Last Will and Testament. Likewise I leave my said loving wife the use of all my estate till my son **CALEB** comes of age and I do hereby utterly disallow, revoke and disanull all and every other former testaments, wills, legacies, executors and executrices by me named. Confirming this and no other to be my last will and testament.

In witness whereof I have hereunto set my hand and seal the day and year above written.

CALEB CIRWITHIN {seal}

Signed, sealed, published, pronounced and declared by the said **CALEB CIRWITHIN** as his last will and testament in the presence of us

ANDREW HIGGINS
RICHARD LANCOM
JOHN CONWELL

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MEMORANDUM

This nineteenth day of March 1755 the above named **JOHN CONWELL** and **ANDREW HIGGINS** two of the witnesses to the above and within will subscribing appeared before me **JACOB KOLLOCK**, Dep. Regr. Appointed for the probate of wills and grating letters of administration for the county of Sussex aforesaid and on their solemn oaths did declare that in their sight, presence and hearing the testator, **CALEB CIRWITHIN** did sign, seal, publish, pronounce and declare the within written to be his last will and testament and at the doing thereof the said testator was of a sound and perfect disposing mind memory and judgment and also that they saw **RICHARD LANCOM** sign with them as evidence to the same.

JACOB KOLLOCK Deputy Regr.

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

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