

Will, DE, Sussex, William Polk 1787

In the name of God Amen.

I William Polk, of Sussex County in the Delaware state, being sick and weak in body but of sound mind and memory and understanding, considering the certainty of death and the uncertainty of the time thereof, and being desirous to settle my worldly affairs, and thereby be the better prepared to leave the world when it shall please God to call me and do therefore make and publish this my last will and testament in manner and form following, that is to say:

PRINCIPALLY AND FIRST I commit my soul into the hands of almighty God and my body to the earth to be decently interred at the discretion of my executor, hereafter named. And after my debts and funeral charges are paid I devise and bequeath as follows:

ITEM I give them to my beloved wife [**MARY VAUGHN POLK**] all my right, title, interest, property, claim and demand of all the lands, goods and chattels that were of the property of **EDWARD VAUGHN** deceased that is now at Deep Creek Furnace<sup>1</sup> and all my goods and chattels excepting four Negroes, to wit: MASS, SED, BASS and LEVIN, and now is at the aforesaid Furnace and my desire is that my wife shall have full power and authority to settle the estate of **EDWARD VAUGHN**, deceased, and the benefit of all the receipts that I have, of any debts and that I have paid to the discharge of the debts of the said **EDWARD VAUGHN**, and my desire is that my executor shall hereafter may be mentioned shall not have any right to claim or bring any part of the estate of the aforesaid **EDWARD VAUGHN** into my estate. And I also give my said wife one mare called Blaze, and my top carriage, and also one mare called Spider, and one horse called Spark, and one chest of drawers, and one high green bedstead, and its bed and furniture standing in the chamber, and a trunk, and two chests, and one looking glass, and one loom that came from the Furnace and six "naved" chairs, and all the pictures in my parlor, and my desire is that my said wife shall have my dwelling Plantation, excepting the the large peach orchard, during her widowhood and no longer, with a reasonable sufficiency of timber and firewood as will support the plantation, and she shall not be entitled to clear any of my wood land, nor to commit any wastage of timber, or wood, more than what may be necessary for the support of the aforesaid plantation, and that she shall not be permitted to plant or tend any of my meadow grounds, but to keep them for grass ground. Also my desire is that my said wife shall not have any right to dispose of any of my goods and chattels, that she may be entitled to, out of my estate to any person whatsoever excepting the children she has had by me.

ITEM I give and bequeath to my son **TRUSTEN LAWS POLK** the large peach orchard, that is before excepted, and my cut Plantation called Gams, and an outfield called The Diamond Field. And after my wife's term of time to my dwelling plantation I give the same to my son **TRUSTEN L. POLK** together with all the land that I hold to the westernmost side of a division line made by **DANIEL POLK** across my land and manner and form following viz.

Begins at the end of 258 perches distance one hate division line between **DANIEL POLK** and myself and at a marked White Oak; thence runs S 59 degrees E 144 perches to a Pine sapling; thence S 21 degrees E 125 perches to a marked scrub White Oak; thence S 21 degrees E 121 perches to a corner of **MORGAN WILLIAMS** land and I crossed the tract called **POLK's** Defense.

So much to him his heirs and assigns forever.

**Will, DE, Sussex, William Polk 1787**

ITEM I give and bequeath to my son **WILLIAM POLK** a plantation called "Callaway" with all the land adjoining the plantation that is not before given to my son **TRUSTEN POLK** lying on the easternmost side of the aforesaid division that is particular prescribed. My will is that line shall stand for a division between **TRUSTEN** and **WILLIAM**, and the bricks that is on the said land that belongs to **WILLIAM** I give to him and a nursery that he calls his to him and his heirs and assigns forever. But if my son **WILLIAM** should die without air lawfully begotten by his body then the said land that I give to him shall descend to my said **TRUSTEN L. POLK** and his heirs and assigns forever.

ITEM I give and bequeath all my lands lying in Carolina Country to my son **ROBERT POLK** and my son **ALEXANDER POLK** to be equally divided between them agreeable to quantity as well as quality to them their heirs and assigns forever. And it is my will and desire but if my son **ROBERT** should die without heirs lawfully begotten of his body that his part shall descend to my son Alexander and his heirs and assigns forever. And likewise have my son **ALEXANDER** should die without heirs lawfully begotten of his body, that his part shall descend to my son **ROBERT** and his heirs and assigns forever.

ITEM I give and bequeath to my son **CLEMENT POLK** all my right and title or claim that I have or might hereafter have of, in and unto certain land and tenements at did belong to **CLEMENT POLK** deceased and also all my right and title, claim and demand whatsoever of, in, and unto certain lands in tenements that was **ISAAC [BROWN]** and **LEVIN BROWN's** to him his heirs and assigns forever. And if my son **CLEMENT** should die without heirs lawfully begotten of his body that then his land should descend to my son **WILLIAM POLK** and his heirs and assigns forever.

ITEM I give and bequeath to my daughters **ESTHER [POLK] HOOPER** one Negro called **NICEY** and one good bed and furniture in full for her part of my estate.

ITEM I give to my daughter **SARAH [POLK] NUTTER** one good bed and furniture in full for her part of my estate.

ITEM I give to my son-in-law and **NATHANIEL RUSSUM** one Negro called **DRAPER**.

LASTLY my will and desire is that all the rest of my estate shall be equally divided between my son **WILLIAM, ANNA, NANCY, BETSY, POLLY** and **CLEMENT, ROBERT** and **ALEXANDER** and **KITTY** and if my youngest daughter **KITTY** should die a minor then it is my will that her part shall descend and fall to my three youngest children, viz. **BETSY, POLLY, and CLEMENT** and their heirs and assigns forever.

And lastly I do hereby constitute and appoint my son **TRUSTEN LAWS POLK** to be my whole and sole executor of this my last will and testament, revoking and annulling all former wills by me heretofore made, ratifying and confirming this and and no other to be my last will and testament.

**Will, DE, Sussex, William Polk 1787**

In testimony whereof I have hereunto set my hand and affixed my seal this 27th day of December 1787.

**WILLIAM POLK** {seal}

Signed Sealed published and delivered by William Polk the above named testator as 4 last will and testament in his presence of us who at his request and in his presence subscribed our names as Witnesses they're too.

**THOMAS LAWS**  
**WILLIAM BOWNESS**  
**LOXLEY RICCARDS**

Sussex County

Memorandum the 17th day of October 1788 before me **PHILIPS KOLLOCK** register appointed for the probate of wills and granting letters of administration for the county of forest said appeared **THOMAS LAWS** and **LOXLEY RICCARDS**, two of the witnesses to the within will, who being duly sworn on the holy evangelists of almighty God did severally depose and say that in their site presence and hearing the testator, **WILLIAM POLK**, did sign, seal, published, and declare the same to be his last will and testament, and that at the doing thereof he was of a sound and perfect mind, memory, and judgment and that they and each of them together with **WILLIAM BOWNESS** subscribed the same as witnesses in the presence of the testator at his request.

**PHILIPS KOLLOCK**, register

**Will, DE, Sussex, William Polk 1787**

<sup>1</sup> The Deep Creek Furnace is one of the two oldest blast furnaces (along with Pine Grove) established in what is now southern Delaware for processing bog iron into wrought iron. It was established by Jonathan Vaughn, who came from Pennsylvania and began acquiring land for it c. 1763.

Nearest city: Middleford, Delaware

Area: 15 acres

Will, DE, Sussex, William Polk 1787

```
##### # # ##### ##### # # ##### ##### # #  
# # ## ## # # # ## # # # # # ## ##  
# # # # # # # # # # # # # # # # # # # # # #  
##### # # # # ##### ##### # # # # # # # #  
# # # # # # # # # # # # # # # # # # # # # #  
# # # # # # # # # # # # # # # # # # # # # #  
##### # # ##### ##### # # # # # # # # # # # #
```

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

This document and others can be found on our website:

[BMGEN](#)

We claim **COPYLEFT** on the documents that we publish that are our original work.

COPYLEFT "rules" can be reviewed on the web site:

[GNU Free Documentation License](#)

In short, use what you like. But if you use our stuff, mention us as the source.

Brent R. Brian  
Martha M. Brian  
[BrianMitchellGenealogy@gmail.com](mailto:BrianMitchellGenealogy@gmail.com)