

CASE #71
FILE #3518

MARY BRIAN

DEC'D

JAMES BRIAN

EXOR.

1842

The Last Will and
Testament of
Mary Brian
deceased

Providence 73rd 1842

James Brangwynne
as Executor

Recorded in Book
of Wills pages
49 & 50

Final Payment

Mary Brian's Last
Will

71
3518

South Carolina³ In the name of god Amen
york ~~district~~³ I Mary Bran of the ~~district~~
³ and State aforesaid being sick
and weak in body but of sound
and disposing mind memory and under
standing v^r Considering the ~~bility~~ death
and the uncertainty of the time then of and
being desirous to settle my worldly affairs
and then by be the better prepared to leave this
world when it shall please god to call me
here I do there fore make and publish this
my last will v^r Testament in manner &
form following That is to say

First and principle, I commit my soul
in to the hands of al mighty god and my body
to the earth to be decently buried and after
my debts and funeral charges are paid
Item, it is my will that the Reverent Jas B Thomas
preach my Funeral sermon

Item 2nd I will and bequeath to my oldest
son Thornton Long one hundred Dollars and
to my son John Long one hundred dollars
and to my daughter Milly Her, one hundred
Dollars Should she be living if not her
proportion to her children the above money
to be paid one year after my decease
and to be paid out of a sealed Box which I
hold on Daniel T Hall for Eight Hundred
and fifty Dollars

Item 3rd ~~the~~ ~~Ballam~~ I will and bequeath
the Ballam of the said box above mentioned after
my debts are paid and my four negroes very well,
Tom & Dancy and Jacob to be equally divided -

between my four younger sons viz James Brian
Thomas Brian, Moses Brian & Aaron Brian to
have share and share alike

Item 4th it is my will for the Negroes to be sold
or divided as may suit best, ^{and} the ligates abovementioned

Item 5th I will and bequeath to my daughter in law Susan
Brian wife of Jas Brian All my weaving apparel
Two beds & furniture Two self round Tables
one chest one trunk Four Chairs and my saddle
and dresser wear

Item 6th I will & bequeath to my son James Brian
the horse that he gave to me is my stock of

Hogs, to gather with the balance of my estate

Item 7th and last by I do here by constitute
and appoint my son James Brian sole executor
of this my Last will & Testament working
and concluding all for me wills by me here to for
made Ratifying this & none other to be my last

will & Testament, in testamony whereof

I have hereunto set my hand and affixed my

Seal Eighth - day of October in the year of our

Lord one thousand Eight hundred and forty two

Signed sealed published & declared by

Mary Brian the above named testator as

and for her last will and testament in

the presence of us who at her request in her

presence & in the presence of each other have

subscribed our names as witness thereto

Fist D. F. Hall

William S. Wood

Joseph R. Howe

Mary J. Brian

South Carolina Personally Came before me Dan'l
York District A Hall W^m. S. Woods

and being duly sworn saith on oath that they
were Subscribing Witnesses to the last will and
testament of Mrs Mary Brian late of York
district deceased that they signed their names
as witnesses at her request in her presence and
in presence of each other & that she was at the
time of signing mind Mormon & understanding
to the best of their knowledge & belief

Swear to & subscribe before me
December 13th 1842

Benj' Chambers Jr.

Daniel F. Hall

William S. Woods

J. R. Harrel

At same time qualified James Brian
Executor

Benj' Chambers Jr.

In the name of God Amen

I Mary Brian Widow of James Brian
Jr. D. of the State of South Carolina and Distric-
t of York being now advanced in life and
knowing certainty of death and the uncertainty
of the time thereof and desirous of settling
my worldly affairs also of same min a Mense-
ng and understanding do constitute and
appoint this to be my last Will and
Testament, Revoking and annulling all
other Wills Testaments and Writings by
me heretofore made and constituting
and appointing this my last Will and
Testament and no other

I promise, My will and desire is that my
body be decently interred and my
funeral expences and all other
debts paid out of my Estate

Second I will and bequeath unto my son
Thornton Jones One Hundred Dollars

Third, I will and bequeath unto my son

John Jones One Hundred Dollars

Fourth I will and bequeath unto my daug-

ter Millie formerly the widow of
Robt Kerr, but latter married to whom
not known One Hundred Dollars

Fifth I will and bequeath unto my two

Sons James Brian Thomas Brian

Mases Brian and Aaron Brian all

and singular the residue and remain-
der of my Estate real or personal rights

or debts to be equally divided between

these share and share alike, and my

Negroes of have knowledge of choosing

Their Masters upon division

Lastly I Appoint My Son James Brian
Executor of This my last Will and
Testament. In testimony whereof
I have hereunto set my hand and
seal at this tenth day of September
in the year of our Lord One Thousand
and Eight hundred and forty two

In presence of

Signed sealed and witnessed
in presence of James, H. C. Thompson

Mary Brian Esq
wife

Wm Parry

H. C. Thompson

A Will Made by
Mrs Mary Brian
Widow of James
Branderidge
Made the 10th
day of Sept 1842

Rec'd by her hand
of No Woman

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3518

WILL OF
MARY BRIAN
STATE OF SOUTH CAROLINA

South Carolina }
York District } In the name of god Amen I Mary Brian of the
district and state aforesaid bing sick and weake in body but of
sound and disposing mind memory and under standing & considering
the certainty Death and the uncertainty of the time there of
and being disirous to settle my worldly affairs and there by be the
better prepared to leave this world when it shall pleas god to
call me henc I do there fore make and publish this my last will
& Testament in manner & form following that is to say First and
principle, I commit my soule into the hands of almighty god, and
my body to the earth to be deacentley buried and after my debts
and funeral charges are paid Item 1st it is my will that the Re-
verent Jas D. Thomas preach my Funeral sermon Item 2nd I will
and bequath to my oaldest son Thorton Jones one hundred Dollars
and to my sone John Jones one hundred Dollars and to my daughter
Milliey Kerrk one hundred Dollars Should she be living if not her
proportion to her Children the above money to be paid one year
after my Decase and to be paid out of a sealed Note which I hold
on Daniel N Hall for Eight Hundred and fifty Dollars Item 3rd
I will and bequath the Ballan of the said Note above mentioned
after my Debts are paid and my four Negroes viz. Su, TTom & Nancy
and Jacob to be Equalley divided betwene my four younger sons viz
Jams Brian Thomas Brian, Moses Brian & Aaron Brian to have share
and share alik Item 4th it is my will for the Negores to be sold
or divided as may suit best suit the Legatees above mentioned
Item 5th I will and bequath to my Daughter in Law Susan Brian
wife of Jas Brian My Weareing appearal Two bedds & furninture
To hlf round Tables one Chest one trunk Five chairs and my saddle

and Dresser ware Item 6th I will & bequath to my son James Brian the horse that he gav to me & my stock of Hoggs together with the Ballanc of my Estate Item 7th And Lastly I do hereby constitute and apoint my sone James Brian Sole Exetor of this my Last Will & testament Revoking and anuling all former wills by me heretofore made ratifying this & none other to be my last will & testament, in testamoney whereof I hay hereunto set my hand and affixed my seal ~~Eight~~^{10th} day of ~~Sept~~^{Oct}ober in the year of our Lord one thousand Eight hundred and forty two

Signed Sealed published & declared by Mary Brian the above named testator as and for her last will and testament in the presents of us who at her request in her presents & in the presents of each other hav subscribed our names as witnes there to

Fist D. F. Hall

William S. wood

Joseph K. Howe

her
Mary X Brian (L.S.)
mark

Probated December 13, 1842

Will Book "3" P-49

Case No. 71

File No. 1062

South Carolina & The Petition of James Brian
York District's Executor of Mrs Mary Brian
sheweth that she previous to her death made
a last Will & Testament & appointed him her Exec.
leaving a considerable personal property direc-
tive to divide the same or sell, therefore in
order to comply with said request therefore
pray that you will grant him an order
to sell said property for division as most of
the Legatees live at a considerable distance
& a division would be almost impracticable
without considerable delay & even then the
property might have to be sold to make
part division your petition will pray
H. Decr 13th 1842

Jas Brian

State of South Carolina By Prosser Chamber
Lock District, Esquire Ordinary
There are to be two or four persons or any three or
four of you whose names are hereunder written
to repair to see such parts & places within the said district
as you shall be directed unto by James Brian
Named Executor ~~Administrator~~ of all &

Singular the goods effects & chattels of Mrs. Brian
late of Lock District deceased wheresoever any
of the said goods & chattels of the said deceased do or may
do remain within the said parts & places & which shall
be shown unto you by the said James Brian

& there view & appraise all & every the
said goods & chattels being first duly sworn to make
a true & perfect inventory & appraisal thereof and
to cause the same to be returned under your hands on
any three or four of you to the said James
~~Brian~~ on or before the 10th day of Feb
now next ensuing

Date the 13th day of December

Anno Domini 1842 & in the Sixty

Seventh Year of American Independence

To Benj: Chamber, Thos Warren, John Baxter, Wm
& Beatty & M'Wright & David Wallace

Benj: Chamber Octd

Memorandum the 26th day of January 1843 Personally
appeared before me Benjamin Chamberlain Ordinary
of York District ~~in York District Col.~~

Beatty Thomas Warren & David Wall working three of the
officers appointed to appraise the goods & chattels of
Mr. Mary Bran d^r. who being duly sworn made oath
that they would make a just & true appraisement
of all & every article goods & chattels ready money
only excepted of Mr. Mary Bran d^r. as shall be
produced by James Brian Esq^r of the estate of the
said Mr. Mary Bran d^r. & that they would return
the same certified under their hands unto the said
James Brian or before the 10th day of Feb^r. next
Benj: Chamberlain a.s.d.

Mr. Beatty
Thos. Warren
David Wall

Warrant of Appraisal

Mr. Mary Bran	dictated
James Brian Esq ^r	
Date 13 th /84/2	

11/3518

James Brian Executor of the last Will & Testament
of Mary Brian deceased first settlement the
19th day of March 1844

Dr.
To the Am-of Sale Bill due 17th July 1844 \$1053.00

The Am-of Dr Hales of Brandonton. \$961.25

Legacies unto Thornton Jones \$100.00

" " Mr. Jones 100.00

" " Mrs. Arnold 100.00 300.00 661.25

" " " " " " \$1714.25

By Thos Smith for coffin \$14.00

" " John Adams from Att. 12.56 $\frac{1}{4}$

" " J. C. Thompson from Att. 5.00

" " John & Williams from Att. 18.25

" " R. C. Gavency rec'd. head stone 9.50

" " ord. fees including funeral etc. 13.43

" " James McHaney 4.00 \$76.74\frac{1}{4}
amt in Es't hand the \$1637.50\frac{3}{4}

19th March 1844

I do did agreeable to wife capably
between Jas Thos Moses & Aaron Bryant each \$409.37 $\frac{1}{4}$

Swarnt before me March 19th 1844

Benj Chambers of Es't

Sale Bill of the Personal Estate of Mary Brian
Do Taken Feb 1st 1843

Thomas Brian	1 m. Negro Boy Name	\$ 503 00
James " Brian	1 m. Girl Name	250 00
James Brian	1 m. Woman See & Chadderd	300 00
		<u>\$ 1053 00</u>

The following is the Appraisement of the property
of Mrs Mary Brian deceased as produced
by James Brian Executor (26th day of July 1843)
to us sworn appraisers

1 Negro Woman Sup \$187.	Child Jacob \$241.00	\$ 428.00
1 Negro Girl Man --		275.00
1 Negro Gray Ram		458.00
5 Chairs 50 each		
1 Round Table \$	6 Plates \$ -	6 Cups & saucers }
5 Spoons & Tea Spoons & 1st Forks & Spoons & Cutlery		5.25
1 Chest		1.00
1 Trunk & apparel		2.00
2 Beds & 2 Bedsteads & clothing		12.00
1 Saddle & Skirt		9.00
1 leon		2.00
One note on Daniel & Hall & Jas Brown for Eight hundred fifty dollars, dated 4 th Feby 1841		850.00
due 12 months after date		
One note on Maston Pasham, dated 5 th Feby 1841 due 12 months after date, with a credit for fifteen dollars dated 7 th Feby 1842 - Jas Ky Lundal is security to this note		40.75
		\$ 2083.00

We the sworn Appraisers hereby certify that the
above is our appraisement of the property of
Mrs Mary Brian, as shown to us by the
Executor.

W.G. Beatty
Thos. Warren
David Wallace