## Last Will and Testament of Richard McWilliam

In the Name of God, Amen, I Richard McWilliam of the Town of New Castle in the County of New Castle Esquire, considering the uncertainty of this mortal life, and being of sound and perfect Mind and Memory, blessed be Almighty God for the same, do make and publish this my last Will and Testament in manner following, to wit,

First, I recommend my Soul to the Almighty Author of its Existence, trusting for a blisful [sic] Immortality to the Sufferings and Mediation of my Saviour; and I (?) my body to be decently interred at the Discretion of my Executors.

Item, It is my will that all my just Debts be paid as soon as conveniently may be after my Decease; and for this Purpose I will and devise, that the following Tracts or Parcels of Land, to wit one Tract situate in Kent County in the Delaware State, containing about one hundred and fifty acres, with the appurtenances -- one Tract, with the appurtenances, situate in Appoquinimink Hundred in the said County of New Castle, containing about one hundred and fifty acres now in the Tenure of a certain James Hevering -- one other Tract with the appurtenances, situate in the said Hundred, containing about two hundred acres, now in the Tenure of a certain William Hevering -- one other Tract with the appurtenances, situate in the said Hundred, containing about one hundred and ninety-three acres and an half, which was leased by my father to a certain Robert Pennington -- and one other Tract of Land and Marsh containing about three hundred acres with the appurtenances, situate in the said Hundred, and commonly known by the Name of the Hammocks, be sold by my Executors for the best Price that can be procured for the same, wither at public or private Sale, at their Discretion; and that the Money arising therefrom be applied by them in discharge of my just Debts.

Item, I give and devise to my Daughters Ann McWilliam, Sarah Lewis McWilliam and Rebecca McWilliam, Share and Share alike, all my Farm called Spring-Garden, with its appurtenances, situate near the Town of New Castle, bounded by the Lands of Joseph Tatlow, the New Castle Common and the Land late of John Clark Esq. deceased, containing about three hundred --- .. ---..-- acres, To hold to them my said Daughters Ann, Sarah Lewis, and Rebecca, and to their Heirs forever as Tenants in Common and not as Joint Tenants.

Item, I give and devise to my Daughters Louisa McWilliam and Hester McWilliam, Share and Share alike, the following Tracts, Pieces or Parcels of Land, to wit, all that Plantation or Tract, containing about three hundred acres, with the appurtenances, whereon Alexander Jameson now lives, situate in New Castle Hundred in the said County of New Castle; -- all that Piece or Parcel of Land, with the appurtenances, situate near the Borough of Wilmington in the said County of New Castle, adjoining the Lands of Bancroft Woodcock, containing about eleven acres, five acres whereof are subject to a Ground-Rent of Fifteen shillings per acre per annum; likewise all that Lot of Land, with the Buildings and appurtenances situate in the Town of New Castle between the lots of John VanGezell and William Semple late William Buchanan's, whereon is erected the Dwelling House wherein I lately lived; -- likewise all that Lot of Meadow Land at the South-West End of the Town of NewCastle afsd. bounded by Lands of John Yeates, George Read Esqr. James Riddle, and the Front-Lane [?] containing about one acre; -- likewise all my Lot of Marsh Meadow adjoining the said Town of New Castle, bounded by the River Delaware, the Lot of Isaac Grantham by the Lane or Street leading to the Front from the Town, containing about four acres; -- likewise my Orchard situate at the West End of the said Town of New Castle, containing about Nine Acres, bounded by the great Road leading from New Castle to Christiana Bridge, and the Lots of Francis Janvier, James Booth and John VanGezell; -- and also all that Water-Lot in

the said Town of New Castle adjoining the House and Water Lot of Thomas Janvier and lying opposite to the dwelling House of Mrs. Spencer; To hold to them my said Daughters Louisa and Hester and to their Heirs forever as Tenants in Common and not as Joint-Tenants.

Item, If any or either of my said five Daughters should happen to die without Issue, or should happen to die leaving Issue, and such Issue should also happen to die without Issue, in either of these Cases, I do hereby will and devise that the part or parts, Share or Shares of my real Estate herein before devised to such Daughter or Daughters so dying without Issue, or leaving Issue and such Issue dying without Issue, shall revert and belong to my surviving Daughters or Daughter and to their or her Heirs forever, but as Tenants in Common among the Survivors. But if all my said Daughters should happen to die without Issue, or should happen to die leaving Issue, and such Issue should also happen to die without Issue, then in either of the said Cases, I will and devise that all by real Estate herein before devised to my said Daughters shall go to my Wife Rebecca (if she be then living) to be held and enjoyed by her during her Natural Life; but if she should not be at that Time living, or if she should be at that Time living, then at her Death, I hereby give and devise my said real Estate in the following Manner, that is to say,

First, I give and devise the Lot of Land in the Town of New Castle whereon is erected the Dwelling House wherein I lately lived, -- also the afsd. Lot of Meadow Ground containing one acres, -- also the afsd. Orchard containing nine acres, and the afsd. Lot of Marsh Meadow containing about four acres, as the same are herein before described, to the Rector of Immanuel Church in the Town of New Castle and to his Successors Rectors of the said Church forever; and the said Dwelling House shall be called the Parsonage-House.

Secondly, I also give and devise the before described Plantation, with the appurtenances, whereon Alexander Jamison now lives, to Richard Spencer and

Elizabeth Spencer the Children of William Spencer, and to their Heirs forever, to be equally divided between them.

Thirdly, I also give and devise to the said Richard Spencer, and to his Heirs forever, all the afsd. Piece or Parcel of Land situate near the Borough of Wilmington containing Eleven acres, and also the afsd. Water-Lot in the Town of New Castle. Fourthly, I give and devise all my Mansion Plantation herein before described, with its appurtenances called Spring-garden, to my Friend James Booth Esq. and to his Heirs forever.

Item,

I give and bequeath unto my beloved wife Rebecca the Sum of One Hundred and Thirty Pounds lawful Money of the Delaware State, annually, during her natural Life, in full of her Thirds or Dower of and in my real Estate aforesaid; and I do hereby direct that the same be paid to her annually out of the Rents and Profits of the said real Estate.

I do also give and bequeath unto my said wife Rebecca forever, my Riding Chair and the Horse which I bought of William Montgomery, my Diamond Ring, and one Set of my China and Tea-Board to be chosen by herself.

It is also my will, that my said Wife shall have my two Negroes named Cuff and Cotto, during her natural Life if she chuses to keep them so long, but if she does not think proper to keep them, they shall then be set free.

It is also my will that my said Wife Rebecca shall take the whole or such part of my Household and Kitchen furniture, not herein before bequeathed, as she shall think proper, at the appraised value therof, but shall pay two third parts of the said appraised value to the Guardians of my Children for the Use of the said Children.

I give and bequeath all my public Securities consisting of Depreciation

Certificates, Final Settlement Certificates, and Certificates issued by Commissioner

[?], to my said five Daughters, to be equally divided among them at the age of Eighteen Years or at the Time of their Marriage, which soever may first happen.

It is my will and I do hereby will and devise, that all and singular my Messuages, Lands, Tenements and Hereditaments [?] which I have herein before devised unto my said five Daughters shall stand charged and be chargeable with the Payment of a Legacy of Five Hundred Pounds (when the same shall become payable) bequeathed by my Brother Stephen McWilliam to Elizabeth Spencer daughter of William Spencer afsd., and the Interest that shall become due thereon, so that an equal Proportion or Share shall be borne by each of my said Daughters.

It is also my will, that if my children's Shares of the Rents and Profits of my real Estate afsd. which I have devised to them, be more than sufficient for their Maintenance and Education that the same be put out at Interest, upon good security, for the Use of my said Children.

Item, I give my Daughter Ann forever my Gold Watch and Emerald Ring.

I also give to my Daughter Sarah Lewis the remaining set of China and Tea Board and a larger Gold Ring which formerly belonged to my Mother.

I also give to my daughter Rebecca forever my Gold Sleeve-Buttons, and a Gold Ring which was my Mother's Wedding Ring.

I also give and bequeath to the afsd. Richard Spencer forever my Silver Watch, and all my Wearing Apparel.

It is my will that my Law-Library be sold together in one Lot, and also my Mathematical Books; and I do hereby direct that my Friend James Booth shall be allowed to take them at the appraised Value, if he thinks proper. All the Residue of my Books shall be kept for the Use of my children.

It is my Will, that my Negro man named Ceasar, in consideration of a long and faithful Service in our Family, be free at my Death, and I do hereby direct my Executors to pay him annually the Sum of Six pounds during his Life.

It is my Will that my Negro Woman named Liz be sold by my executors at public or private Sale, at their discretion.

It is my will, that all the Residue of my personal Estate, except such as shall be kept by my wife at the appraised Value afsd. be sold at public [?] and that the Money arising from my personal Estate be applied by my Executors in discharge of my debts, as far as the same may be necessary.

Item, I give to my Friend James Booth forever, my Pocket Pistols with Screw-Barrels, and the key and Molds. I do also hereby direct, that my Executors procure immediately after my Decease, a Gold Mourning ring to be made, set with a large oval Glass or Stone, in the Middle of which shall be workd, with my own Hair, an Urn, with the following Inscription:

Rich. M.William obiit A.D. AEtat [?] filling up the Blanks with the Time of my Death, and the Year of my age: And the said Ring I give to my Friend James Booth as a Mark of my sincere Regard and Affection for him; and I desire that he will wear it.

And lastly, I do hereby appoint my beloved Wife Rebecca and my worthy Friends Isaac Grantham and James Booth Esquire Guardians of said five Children until they arrive respectively to the Age of Twenty One Years, or marry, whichsoever may first happen; and I do also appoint my said Wife Rebecca, and the said Isaac Grantham and James Booth Executrix and Executor of this my last Will and Testament; hereby revoking all former wills by me made. In Witness whereof I have to this my last Will and Testament, contained on eleven Pages, set my Hand and Seal this thirty first Day of December in the Year of our Lord One Thousand and Seven Hundred and Eighty Five.-- 1785.

## Codicil

I Richard McWilliam of the Town and County of New Castle Esquire, do this
Twenty-Seventh Day of March of the Year of Our Lord One Thousand Seven
Hundred and Eighty Six, make and publish this Codicil to my Last Will and
Testament in Manner following, that is to say,

Whereas in the disposition which I have made of my personal Estate, in and by my said last Will and testament, bearing Date the thirty first Day of December last, no Mention is made of my Plate and Gold Stock Buckle, by Reason whereof they would be considered to come within the clause in my said Will which directs my Executors to sell such of my personal Estate as I have not thereby disposed of, which would be contrary to my Intention and Desire; wherefore, to prevent the same, I do hereby declare it to be my Will and desire, that my beloved Wife Rebecca shall have the use and Possesion, but not the Property of all my Plate during her natural Life, and, at her Death, it shall be equally divided among my children.

Item I give and bequeath my Gold Stock Buckles to my Friend James Booth. Since the makingo f my afsd. Will I have sold my Law Library; and in the said Will I directed, that my Geographical, (?) Mathematical and Philosophical Books should be appraised, and that my Friend James Booth should be permitted to take them at the appraised value; but I do now revoke the same and do hereby give and bequeath them to the said James Booth.

Although I have in my afsd. Will bequeathed all my wearing apparel to Richard Spence son of William Spencer; yet I hereby revoke the same, and instead thereof give him one Suit of Clothes of a drab coloured Cloth, one suit of Blut Cloth, one Suit of Blake Cloth, and my Hat.

And whereas by my said will I have directed, that my Wife Rebecca shall have the Service of my Negroes Cuff and Cotto during her natural Life, I do therefore revoke the same Bequest and declare it to be my Will, that my said Wife shall have

the Sercies of the said two Negroes during her Widowhood honly, but if she does not choose to keep them in her own Service they shall then be Free; or if she should marry, then upon her Marriage they shall also be Free.

It is my will, that the Bequest of Six Pounds directed, in my Will afds. to be paid annually to my Negro Man Ceasar, shall be void; and I hereby declare, that my Estate is and shall be released and discharged from the Payment of the same.

It is my will, and I do hereby direct, that a Gold Mourning Ring, of the same Manner, and having the same Inscription with the one I have directed, on my Will afsd., to be made for my Friend James Booth, be procured by my Executors and I give the same to my Friend Isaac Grantham as a Mark of my Esteem and Regard, desiring him to wear it.

Notwithstanding since the making of my afsd. Will, I have sold the Piece or Parcel of Land with its appurtenances, situate at Wilmington, which I devised to my Daughters Louisa and Hester, and have also sold one of my Tracts of Land in Appoquinimink Hundred, which I had directed to be appropriated to the discharge of my Debts; yet I deem it unnecessary, on that account to make any alteration in my afsd. last Will and Testament, respecting my real Estate.

And lastly, It is my desire, that this my present Codicil be annexed to and made part of my last Will and Testament to all Intents and Purposes, In Witness whereof I have hereunto set my Hand and Seal this Twenty Seventh Day of March in the year of our lord One Thousand Seven Hundred and Eighty Six.

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Fourthly, I give and divise all my Mansion Plantation, humin before described, with its Anguirtenances, called Firing Garden, to my Friend Innus Broth Esq. and to his Suis forever.

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