

Will of Edmund HOWARD (1712/3); Charles Co., MD

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Edmund Howard (d1712/3)

Will 1713

Charles County MD

Maryland Hall of Records

Liber 13, folio 632 (Microfilm SR 4407)

Written 3 December 1709

Probate 5 January 1713

In the name of God Amen I Edmund HOWARD of Charles County in the providence of Maryland gent. being now in health and of sound and perfect memory, Blessed by almighty God for the same but considering its hath and uncertainty of this transitory mortal life and that all flesh must yield when God by deal is plain to hold donate publish and declare this to be my last will and testament hereby multiplying and mastering vow all former & other wills by me testify made and or give and bequeath as followth viz.

Imprimis I give and bequeath my soul to almighty God my merciful Creator hoping for full pardon and compassion of my sins through the precious blood and intercession of my beloved savior and redeemer Jesus Christ my body commit to the earth to be decently buried as to my Executors hereafter named shall seem neat and convent and as for natural worldly estate it shall please almighty God to bestow upon me after my just debts personal charges being first paid I give & bequeath as followth Viz.

Item. I give bequeath and confirm unto my well beloved eldest son Wm. Stevens Howard one hundred acres of land where upon he now lives to have & to hold the same during his natural life and after his decease to his heirs lawfully begotten or to be begotten and for default of such heirs then I give the same unto my dear only daughter Elizabeth Howard of the heirs of her body lawfully to be begotten and for default of such heirs then I give the same to my son John Howard and to his heirs forever.

I also give and bequeath to my said well beloved son Wm. Stevens Howard and his heirs or assignees one negro lad named Peter already in his possession also one mulatto man and woman named Scipio and Florence also one mulatto girl named Bess, one gold seal ring & my silver headed cane.

Item. I give and bequeath to my well beloved son Thomas Howard the plantation I now live on together with the supplement or addition where on my negro Sambo lives to be divided by a line and to contain as near as can be one hundred and fifty acres both tracts I give the same to the sd Thomas Howard and to his lineal lawful heirs begotten of his body and for default of such then I give the same to my youngest son George Howard and his heirs forever also give and bequeath to said second son Thomas my negro Sambo and Grace his wife and Patience my negro woman also the best feather bed and furniture. Viz. bead, bolsters, pillows, rug, blanket, curtains, and wallings which I shall die possessed with.

Item. I give and bequeath unto my well beloved third son John Howard one hundred acres of land laid out by Mr. Joseph Manning Surveyor and joining upon the land where on my eldest son now lives according to the bound meet. there of I give the same unto my said son John Howard and to the lawful heirs of his body and for default of such heirs then I give the same to my eldest son Wm. Stevens Howard and his heirs forever also I give and bequeath unto my said John Howard my second best feather bed and furniture as before excepted in my legacy to my son Thomas I likewise give and bequeath to my said son John Howard one negro man named George and one negro girl called Kate the said land negroes & beds to be delivered him when he shall arrive to one and twenty years of age and not sooner.

Item. I give and bequeath unto my dear and well beloved daughter Elizabeth Howard what part of a parcel of land called "Tatindays Worke" shall appear to be my just right the whole is said to be one hundred and fifty acres tract of it joining to land by me given to my eldest son where he now lives I give the same to my said Daughter Elizabeth and to her lawful issue borne of her body and for default of such issue then I give the same to my youngest son George Howard and to his lineal lawful heirs forever I do also give and bequeath unto my said daughter Elizabeth one negro girl named Nan formerly made over by deed of gift and ensettled in Charles County Records one negro boy named Jack one mulatto boy named Benjamin one large silver tankard six silver spoons a feather bed & furniture now in her possession a seal skin trunk with her name in letters at length with her own & mothers Cloths therein as also a Diaper Table cloth and twelve Diaper napkins my Great Bible & warming pan and a chamber looking glass it comes in neat shipping.

Item. I do also give and bequeath to my said dear & well beloved daughter Elizabeth Howard the sum of twenty pounds sterling to be paid her in good bills of Exchange at her arrival to sixteen years of age or marriage which shall first happen or in the lieu there of to be paid in tobacco at one penny a pound to the convince of my Executor hereafter named the said twenty pounds sterling or the value there of in Tobacco as aforesaid to be raised out of the sale of my land in Somerset County which I hereby order my Executors to sell and dispose of for the use of aforesaid & the remainder of the money or tobacco if the said land shall be sold for I do give and bequeath to my three sons Thomas, John, & George Howard to be equally divided amongst them it is also my will and desire that my said Daughter shall not receive her portion until her arrival to sixteen years of age or marriage which shall first happen.

Item I give & bequeath to my well beloved youngest son George Howard the remaining part of my land not already given and bequeathed and lying in the middle of his three brothers aforementioned I give the same to the said George Howard & to his lawful issue as aforementioned and for default of such heirs then I give the same to my second son Thomas Howard & his heirs for ever. I also give to my said son George Howard one negro lad named Dick one negro girl named Ellinor and one mulatto girl named Alice also one feather bed and furniture as aforementioned to my other children to be delivered to my said son George Howard at his arrival to twenty one years of age.

Item. (so far wrote after I was taken sick) I give and bequeath unto my four sons & daughter and my little Grand Daughter Margaret one silver spoon it being marked with MH and one gold ring to each of them it being a legacy left each of them by their late dear & tender mother and grandmother.

Item. I give and bequeath to my little Grand Daughter Margaret Howard one cow and calf besides a black two year old heifer to have & to hold the said cow & calf & heifer & their female increase until twelve years and after that time to enjoy the whole increase both male and female I all so give said Grand Daughter my morning ring in memory of my late dear Brother Mr George Dent.

Item. I give and bequeath unto my dear and will beloved brother Mr. Richard Eyton merchant in London and to his wife and all so to my dear and only sister Mrs. Hester Tinsdale wife to Mr. Athetstone Tinsdale upholster in Bristol & to her husband I give to each of them twenty shillings sterling to buy each of them a mourning ring if they be in the land of the living at the time of my decease.

Item. I give and bequeath unto the Reverend Minister whose toll it shall be to present my funeral sermon five hundred pounds of tobacco for his labors there in and I also desire that the text my be taken out of the thirty fourth psalm the last verse.

Item. I give & bequeath all the remaining part of my estate of what sort so ever and where so ever it shall or may be found not already given & bequeathed I give the same to be equally divided amongst my four, son's and my little Daughter Betty each a share alike and if it should happen that either of my son's or my Daughters husband (if married) should play the prodigal or extravagant (which God of his infinite mercy forbid) if it should so happen my will & pleasure & also my humble request & desire is that two Gent. members of Charles County court be empowered appointed to enter upon the Tract or parcel of land by me given to such extravagant child as aforesaid & be assess and set a price there on to gather with natural negroes shall be left & what other part of estate shall be left belonging to such Prodegate and award of the said two gent. to be final & after it is applied some one of my sons to have the referral to the said land & premises he paying so far fourth as the price assessed of time of payment given my said son for payment of the same for it is my expressed will & desire that none of my land doe pass out of the name of the Howards while there is a male surviving.

Lastly I do nominate constitute and appoint my two eldest and dear & well beloved son's William Stevens & Thomas Howard to be jointly the executors of all of this my Last will & Testament and to do & perform all & every article therein contained as all so my further will & desire to them expressed in words & upon the desires & condition of a dying parent I do will require & strictly charge & command all my dear children to hear God and to live in all brotherly & sisterly love to each other as they will answer the failure there of before the Great Tribunals at the general judgment day and that this is my last will testament hereby revoking all former & other wills testaments by me heretofore made done in witness there of I have sit & affixed my hand and seal the third day of December in the eighth year of the reign of our sovereign Lady Queen Anne over England Viz. Anno Domine 1709 and published and declared the same before the witnesses whose several names are hereto subscribed. Signed Sealed published declared to be the last will & testament of Edmond Howard before us. Entertained before singing, sealing & publishing here of George Dent, Mary MB Perry, Ann X Dodd, Rachall Smoot, Jane (mark) Thompson.

By codicil, 1712 for whereas hath almighty God since the writing of my above mentioned last will & testament to add to my estate one Negro boy more commonly called & known by the name of Black Will as a further addition to my son Thomas Howards portion, I do give & bequeath the said negro boy to the said Thomas Howard and his heirs & upon such conditions & terms as hereafter expected viz: If it should please God that my negro woman Patience should at any time after my decease bring forth and bare of female child shall be at age convent to wean by a good & firm deed of gift duly to be enrolled in Charles County records shall make over and confirm the sd. female negro child to my grand son Edmund Howard the son of my eldest son William Stevens Howard & Elizabeth his wife the whole property of the said female negro with all her future increase to rest years & until the said Edmund Howard shall arrive to the age of one & twenty years at the meres of the said female negro to be equally divided between him & his sister Margarett Howard the possession of the said negro child, when fit to be weaned to be delivered into the custody of the said William Howard for the use and benefit of his children aforesaid when they shall arrive to their several and respective ages and if it shall come to their respective ages then it is my will & desire that my daughter Elizabeth mother of the said children if then living shall have the possession of the said negro & her increase if any there be and for the use aforesaid for & during such time as we shall remain a widow or longer provided it be with the advice nonserve of her Elizabeth that might prove unknown either to her will or my dear grand children as aforesaid then it is my express will & desire that my son Thomas & John Howard or one of them doe require & take in to either of their possessions the said female negro & her increase (if any there be) and keep them for the use aforesaid until my said grandchildren shall arrive to their several and respective ages and if it should happen to either of my said grand children should die before they arrive to their respective ages or without issue lawfully begotten or borne of either of their bodies then I give the said female negro & all her increase as aforesaid to the survivor and if it should please God that both of my grand children as aforesaid should dye as aforesaid (which God for bid then it is my will & desire that the said negro to be disposed of such child or children or shall here after be lawfully begotten by the said Wm. Stevens Howard and as he in his discretion shall think fit and not to

return to any other of my heirs upon any pretense what so ever and if after my desire that birth of said female negro child as aforesaid my son Thomas should either neglect or refuse to perform the part of my will undo revoke & make over this part of my bequests & bequeath to him and do hereby order & give power to my son William to take possession of the said negro boy more & sell him or exchange him for a female negro child for the use and benefit of his children as aforesaid this codicil I do ordain and annex to my last will & testament before mentioned and it is my will & pleasure that it be deemed taken & construed to be as full firm & valid in the law to all intents & purpose what so ever & in any other warrant or paragraph in my said last will and testament. In witness to here of I have hereunto set my hand and seal the -- day of-in the twenty year of this of our sovereign Lady Queen Ann over great Briton & an Ammo Dommi 1712 signed sealed & delivered to be a codicil to the last will testament of Edmund Howard in the presence of us the subscribers: Jon. Fendall, Richard Coe & Jane Coe: Signed Edmund Howard