

Last Will and Testament of Michael HOWARD (1737); Talbot County, MD

Contributed to the USGenWeb Archives by Joseph H. Howard
<jhhoward@comcast.net>

Copyright. All Rights Reserved.

<http://www.rootsweb.com/~usgenweb/copyright.htm>

<http://www.rootsweb.com/~usgenweb/md/mdfiles.htm>

Michael Howard (d1737)

Will

Talbot County MD

Maryland Hall of Records

21:779-780 (Microfilm SR 4415-2) &

County Wills, Box 11, folder 51

Written 1 February 1734

Probate 30 August 1737

In the Name of God Amen I Michael Howard of Talbot County in the Province of Maryland Gent. Being in good health & of sound mind & memory Blessed by God therefore Do this First day of February in the year of our Lord God Seventeen Hundred Thirty & four make & Publish this my last Will & Testament in manner & form following that is to say,

Imprimis, I Give to my Honored Father & Mother the sum of Tenn Pounds a piece to buy them Mourning which I would have remitted to my Brother Adam or Francis Howard by M^r Samuel Hyde hereafter named or paid to the order of either of them in London.

Item I Do hereby Will order direct & appoint that that Mess^{rs} Samuel & Herbert Hyde of the City of London Merchants & Mr. James Buchanan of the same place Merchant or the Survivors or Survivor or any two of them do lay out & imploy Fifteen Hundred Pounds Sterling of my Personal Estate with all Convenient Speed after my Death, in the Purchase of a certain Yearly sum of money for the term space of Thirty Years or any other number of years not less than Twenty five years in some good publick Fund, which Purchase that shall declare to be & they shall Procure the same to be Entered in the Books of the Directors or Managers of the said fund to be for the use in trust for my Nephew Michael William Howard now with me the Son of my Brother Matt. Howard late of the City of Dublin Deceased hereby requesting Impowering & Authorizing the said Merchants or any two of the Survivors or Survivor of them the said Annuity to receive Yearly & every Year as the same shall become due & payable until my said Nephew shall attain the Age of Twenty one years, Out of which Annuity to be Recd I desire my said Nephew may be Maintained & Educate at Westminster School & Kings College in Cambridge until he shall arrive at the Age of Twenty one Years, in a Decent & handsome manner, willing that the Overplus or what shall be more than Sufficient for the Education & Maintenance of my said Nephew, shall be Yearly & every Year until the arrival at full Age paid to my Sister in law Sarah Howard, the Relict of my said Brother for the use of his Daughter Elizabeth And when &

as soon as my said Nephew shall attain the Age of Twenty one Years Then I Do hereby Give & Bequeath unto him the said Annuity or Yearly sum to be Purchased with the same Fifteen Hundred Pounds Sterling money of Great Britain, But if my said Nephew should dye before he attains the Age of Twenty one years my Will & desire is that the two Eldest Sons of my Brother M^f Adam Howard of the County of West Meath & Kingdom of Ireland shall have the same Annuity or Yearly sum in equal parts of Moieties

Item, I Give to my said Nephew Michael William Howard during his life the use of my Law Library & other Books & after his Death the same to remain to the Eldest Son of my said Brother Adam Howard And for Prevention of any Imbezelment of my said Law Library & other books it is my Will & I do hereby direct that a Particular be sent to my Brother Adam or his eldest son by my said Nephew & that he give his Covenant to my said Brother Adam or his Eldest Son to leave the same to him as I have hereby given the same at his Death, their reasonable usage & wearing in the mean time Excepted.

Item I Appoint the said Merchants or any two or the Survivors or Survivor of them with all the speed they can after the said Annuity shall be Purchased to Compute & ? up all the residue of my Personal Estate which shall be in any part of the Great Britain Maryland & elsewhere my said Law Library & other Books Excepted To divide the same surplus in three equal parts whereof I Give to my said Brother Adam Howard & his two eldest Sons & the Survivors & Survivor of them one Third part, Whereof I Give to my Brother Francis Howard of the said County & Kingdom & my Sister Ann Plunkett & her to Eldest Sons & the Survivors & Survivor of them one Third part in two equal parts or Moieties to be divided & the other third part thereof I Give to my Sister Rose Wilson & her Eldest Son & the Survivour of them & to my said Nephew Michael William Howard & his Sister Elizabeth & to my Brother Rockford Howard in equal part to be divided.

And I make Constitute & ordain the aforesaid Samuel & Herbert Hyde, Adam, Francis & Michael William Howard to be my Executors in England & Daniel Dulany Esq. of the City of Annapolis & Mr. Walter Carmichael of Queen Annes County Merchant to be my Executors in the said Province of Maryland willing that they Except my said Brothers & Nephew shall retain all their Expences & Charges whatsoever in relation to their said Trust. And the sum of Tenn Pounds a piece for their kindness in accepting this Trust In Witness whereof I the said Michael Howard have to this my last Will & Testament Sett my hand & seal the day & year above written Michael Howard (Seal)

Signed Sealed & Delivered by the said Michael Howard as & for his last Will & Testament in the Presence of us who were present at the Signing & Sealing thereof the words (which shall be in any part of Great Britain, Maryland, & elsewhere) being first Interlined between the two last Lines of the said Testament

Edw Tottrell
James Lloyd
James Farrell
William Ruddle

On the back of the foregoing Will was thus written Vizt

August 30, 1737. M^r Edward Tottrell one of the Subscribing Witnesses to the foregoing Will made Oath on the holy Evangelists of Almighty God That he saw Michael Howard Esq the Testator, Sign & Seal the same & heard him publish & declare it as his last Will & Testament that at the time of his so doing he was of sound & perfect mind & memory to the best of this Deponents Apprehension And that this Deponent Subscribed as a Witness to the said Will in the Presence of the Testator & at his request & saw the other Witnesses thereto do the same Sworn to before me. Edw^d Tottrell
D. Dulany Comy
10 ½ sides

Daniel Dulany Esq & Mr. Walter Camrichaels Renunsiation of the Executorship of the above named Michael Howards Will

Maryland

Whereas Michael Howard late of Talbot County Esq Deced by his last Will & Testament bearing date the first day of February in the year of our Lord Seventeen Hundred & Thirty four Constituted & appointed Daniel Dulany of Annapolis Esq & Walter Carmichael of Queen Ann's County Merchant to be his Executors in the said Province of Maryland & Bequeathed unto each of them Tenn Pounds as a Gratuity for undertaking the said Trust & their Charges & Expences as by the same Testament recorded in the Prerogative office And Whereas the said Daniel Dulany & Walter Carmichael have Renounced by these Presents Do absolutely Renounce the said Exership & refuse to take upon them the Burthen thereof And so far as in them has transfer & Assign the Right of Administration to Charles Browne of Annapolis Merchant and all the Right title & Interest which they might have to the said Legacy ? ? in the Said testament had they taken upon them the Execution thereof in Consideration that the said Charles Browne will discharge the trust given by the said Testator in the said Testament mentioned to be discharged by the said Dulany & Carmichael In Witness whereof the said Daniel Dulany & Walter Carmichael have hereunto set their hands and Seals this Twenty Seventh day of August Anno Dom 1737
D. Dulany (seal)
W^a Carmichael (seal)

Sealed & Delivered in the Presence of R. Bennett John Loockerman
2 ½ sides