

James Bryant Sept 26

James Bryant's  
Will

In the name of God amen I James Bryant of the County of Powhatan being of sound mind and memory, do make this my last will and testament, in manner following.

First, My will and desire is that my estate be kept together under the management of my executors, hereafter to be appointed, until the whole of my just debts be paid, except what I shall hereafter give to my Daughter Sally Bryant,

Item I lend to my beloved wife Jane Bryant, during her natural life, in two other downs (after the payment of my debts) all my lands in the County of Powhatan (except such parts as may be discovered to contain coal, and what I shall hereafter annex to my mill seat, with the use of the following negroes, Lewis, Sam, Ovar, Sarah, Peth, Moriah, Frank and Betty, and their future increase, with all my household and kitchen furniture, except such parts thereof as I shall hereafter otherwise dispose of, all my plantation utensils, one half of my stocks of every kind, with as much Indian corn and such as may be necessary to support her family, until she can make a crop.

Item Having already given to my son John Bryant a moiety of my lands in the State of Kentucky, One negro man named Prince one horse and saddle, and one feather bed and furniture, all of which I hereby devise, bequeath and confirm to him my said son John Bryant and his heirs forever.

Item I give and bequeath to my daughter Sally Sackett and her heirs two negroes, Lewis, Amey and Milt and their increase, one horse and saddle, and two feather beds and furniture, all of which have already been delivered to her. I also give and bequeath to my said daughter Sally Sackett the sum of two hundred pounds to be paid by my executors out of my estate.

Item Having already given to my son William Bryant one moiety of my lands in the State of Kentucky, one negro man named David one horse and saddle, and one feather bed and furniture, all of which I hereby devise, bequeath and confirm to him my

being of sound mind and memory, do make this my last will and testament, in manner following.

First My will and desire is that my estate be kept together under the management of my executors hereafter to be appointed, until the whole of my just debts be paid, except what I shall hereafter give to my Daughter Sally Bryant,

Item I lend to my beloved wife Jane Bryant, during her natural life in two other dower (after the payment of my debts all my lands in the County of Powhatan (except such parts as may be discovered to contain coal, and what I shall hereafter annex to my mill seat, with the use of the following negroes, to wit, Jane, Cass, Sarah, Poth, Mariah, Frank and Kelly, and their future increase, with all my household and kitchen furniture, except such parts thereof as I shall hereafter otherwise dispose of, all my plantation utensils, one half of my stock of every kind, with as much wheat, corn and such as may be necessary to support her family until she can make a crop.

Item Having already given to my son John Bryant a moiety of my lands in the State of Kentucky, one negro man named Prince one horse and saddle, and one feather bed and furniture, all of which I hereby devise, bequeath and confirm to him my said son John Bryant and his heirs forever.

Item I give and bequeath to my daughter Sally Sockett and her heirs two negroes, to wit, Amey and Matt and their increase, one horse and saddle, and two feather beds and furniture, all of which have already been delivered to her. I also give and bequeath to my said daughter Sally Sockett the sum of two hundred pounds to be paid by my executors out of my estate.

Item Having already given to my son William Bryant one moiety of my lands in the State of Kentucky, one negro man named David, one horse and saddle, and one feather bed and furniture, all of which I hereby devise, bequeath and confirm to him my said son William Bryant and his heirs forever.

Item, I give and bequeath to my daughter Jane Martin & her heirs two negroes, two horses, two feather beds and furniture, all of which have already been delivered to her. I also give and bequeath to my said daughter Jane Martin the sum of two hundred pounds to be paid by my executors out of my estate.

Item, I give and bequeath to my son Stephen Bryant & his heirs one negro man named Bristol, one horse & saddle, and one feather bed and furniture, all of which have already been delivered to him.

Item, I give and bequeath to my son Selas Bryant and his heirs one negro man named Ned, and one horse and saddle, all which have already been delivered to him. I also give and bequeath to my said son Selas, at my decease, two feather beds and furniture.

Item, I give and bequeath to my daughter Polly Bryant, and her heirs, at my decease, three negroes, two horses, two feather beds and furniture, and the sum of two hundred pounds to be paid out of my estate by my executors.

Item, I give and devise to my two sons Stephen Bryant and Selas Bryant, and to their heirs respectively all my land which I have lost my beloved wife during her natural life, at her decease to be equally divided between them according to quantity and quality (except such parts of the said land as may contain a body of coal ~~therein~~ to be hereafter disposed of in a different manner) and my said son Stephen Bryant to have that part of my said land adjoining to that on which he has built his dwelling house.

Item, I also give and devise to my said sons Stephen & Selas Bryant, and to their respective heirs an equal interest and absolute property, in my Mill and appurtenances, together with three acres adjoining & adjoining to what the mill pond may cover, the said three acres to begin at the east end of the mill Dam so as to include the spring, thence to a corner white oak standing over the creek, on David Patterson's line, thence along the said Patterson's line westerly, so &c.

Item I give Powhatan County Willis 1806-1811. I also give and bequeath to my said son Silas, at my decease, two feather beds and furniture, one negro man named Ned, and one horse and saddle, all which have already been delivered to him; I also give and bequeath to my said son Silas, at my decease, two feather beds and furniture.

Item, I give and bequeath to my daughter Polly Bryant, and her heirs, at my decease, three negroes, to wit, Little Sam, Sylvia, and her child Alice, with their future increase, one good riding horse, saddle and bridle, two feather beds and furniture, and the sum of two hundred pounds to be paid out of my estate by my executors.

Item, I give and devise to my two sons Stephen Bryant and Silas Bryant, and to their heirs respectively, all my land which I have lent my beloved wife during her natural life, at her decease to be equally divided between them according to quantity and quality (except such parts of the said land as may contain a body of coal ~~therein~~ to be hereafter disposed of in a different manner) and my said son Stephen Bryant to have that part of my said land adjoining to that on which he has built his dwelling house.

Item I also give and devise to my said sons Stephen & Silas Bryant, and to their respective heirs an equal interest and absolute property in my mill and appurtenances, together with three acres of land adjoining exclusive of what the mill pond may cover, the said three acres to begin at the east end of the mill dam so as to include the spring, thence to a corner white oak standing on the creek, on David Patterson's line, thence along the said Patterson's line westerly, so far as may be necessary to include the three acres by a straight line to the nearest part of the canal leading from the pond to the mill house, with this proviso or condition, that my said beloved wife shall have the privilege of grinding whatever grain she may think proper for her own use, during her natural life (if the said mill remain so long standing, without paying any toll for the same).

Item, all the residue of my estate heretofore lent to my beloved wife, during her natural life (except the land) I devise may be

at her decease, equally divided among all my children, or their legal representatives.

And in as much as I have reason to believe that there are large bodies of coal in the land given to my said beloved wife during her life, and after death, devised to my sons Stephen & Silas Bryant, and their heirs, should there be coal discovered in any part of my lands (except in the three acres below the Mill and annexed to the same, and except also in what land the said Mill pond may cover or overflow, at the common height of the pond in winter, then and in that case I give, and devise to all my children and to their respective heirs an equal interest and property in the said coal or coal mines with my said sons Stephen and Silas Bryant, after they shall have respectively paid to my said last mentioned sons or to their legal representatives their equal proportions of the just value of the land or soil which may be rendered unfit for cultivation by sinking coal pits therein, either in searching for coal, or in working the Mines, after coal shall be discovered, and to prevent disputes or controversies among my said children, concerning the premises, my said two sons Stephen and Silas, and their legal representatives shall have the sole and exclusive right of pointing out the place or places where coal is to be dug or searched for, provided nevertheless that neither of my said children nor the representatives of them or either of them shall have liberty to search

or dig for coal, either in the garden or orchard, or so near to any house or houses as to my said wife during her life, as to endanger the said house or houses or to make it inconvenient to pass to or from the same, unless the privilege of so doing be first had and obtained from my said beloved wife in writing and attested by three credible witnesses.

Item. My will and desire is that the land fit for agriculture that shall be destroyed or injured by digging for coal as aforesaid, be valued by three referees or commissioners, one of whom to be chosen by my said sons Stephen and Silas Bryant, a second by my other children, or by a majority of them, and those two to choose a third. And

men that the word "acres" between the third & fourth lines of the first  
"their equal proportions of" between the 17th & 18th lines were  
intended before signing & publishing the testament

the common heirs of the said land and in that case I give  
and devise to all my children and to their respective heirs an equal  
interest and property in the said Coal or Coal mines with my said  
sons Stephen and Silas Bryant; after they shall have respectively paid  
to my said last mentioned sons or to their legal representatives their  
equal proportion of the just value of the land or soil which may be  
required in fit for cultivation by sinking Coal pits therein, either in  
searching for coal, or in working the Mines, after coal shall be  
discovered, and to prevent disputes or controversies among my said  
children concerning the premises, my said two sons Stephen and Silas, and  
their legal representatives shall have the sole and exclusive right  
of pointing out the place or places where coal is to be dug or searched  
for provided nevertheless that neither of my said children nor their repre-  
sentatives of them or either of them shall have any liberty to search  
or dig for coal, whether in the garden or orchard, or so near to any house  
or houses as to my said wife during her life, as to endanger the said  
house or houses or to make it inconvenient to pass to or from the same  
unless the privilege of so doing be first had and obtained from my said  
beloved wife in writing and attested by three credible witnesses.

Item. My will and desire is that the land fit for agriculture that  
shall be destroyed or injured by digging for coal as aforesaid, be  
valued by three referees or commissioners one of whom is to be chosen  
by my said sons Stephen and Silas Bryant, a second by my other  
children, or by a majority of them, and those two to choose a third and  
such of my land as contains coal on the aforesaid tract, I do, under  
the previous limitations and restrictions aforesaid, devise equally to  
all my said children, and to their respective heirs forever. And my  
true intent and meaning is, that if any or either of my said children  
shall die in my lifetime, and before they get possession of their parts  
of what is herein devised or bequeathed to them respectively, that  
the legal representatives of such child or children, so dying before  
me, succeed to, and enjoy the same as if all my said children

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intended before signing

had survived me, that there be no Capric legacy under this my last will and Testament.

Of such parts of my estate as are not herein specifically disposed of, the law will make an equitable distribution, among my children or their legal representatives.

And lastly, I do constitute and appoint my two sons in law, Edmund Lockett and James Martin, and my two sons Stephen Bryant and Silas Bryant, executors of this my last will and Testament, containing seven pages, hereby revoking all wills by me heretofore made. In witness whereof I have hereunto set my hand and affixed my seal, this 21<sup>st</sup> day of March, in the year of Christ one thousand eight hundred and seven.

James Bryant (Seal)

Signed, sealed, published and declared by the said testator as and for his last will and Testament in presence of us who at his request have subscribed our names as witnesses thereto.

NB. The words "containing seven pages" were interlined before signing and publishing this Testament.

Peter Dupuy

Wm Sublett

John Woolbridge

At a court held for Powhatan County the 16<sup>th</sup> day of December 1807 this last will and Testament of James Bryant dec<sup>d</sup> was presented in court, and proven

by the oaths of Peter Dupuy, William Sublett and John Woolbridge all the subscribing witnesses thereto, and ordered to be recorded.

And on the motion of Silas Bryant and Edmund Lockett, executors therein named, certificate is granted them for obtaining probat thereof in due form, they having entered into bond with security and taken the oath prescribed by law.

Teste, James Cornsenter, C. C.

Lockett

as exec of

Bryant

Know all men by these presents, that we Silas Bryant, Edmund Lockett, Peter Dupuy, and Arthur Sublett we held and firmly bound unto Edward Masiley, Jacob Michaux, James Langford, and H. D. Lockett