

In the name of God amen. I **James Daly of Dunsandle in the County of Galway Esq.**, but now resident in **Dominick street** in the city of **Dublin** being in a weak state of health but of sound and disposing mind and memory, thanks be to God for the same, do make my last will and testament in manner and form following, hereby revoking all former wills at any time heretofore by me made and first I bequeath my soul to Heaven, Hoping that whatever advantages reserved for the souls of the deceased, I may through the Mercy of God partake of the benefits of them, as I am not conscious thro the whole course of my life of having acted by any of my fellow creatures in such a manner as should incur the Divine displeasure, but having behaved with regard to others with as much Beneficence as common sense and prudence permitted me, and whereas by the settlement made previous to my marriage with **Catherine Daly otherwise Gore my present much beloved wife** a sum of eight thousand pounds is charged upon certain lands and estate therein mentioned and provided for the portions of my younger children to be paid to and distributed among them at such times and in such shares and proportions, and with such yearly interest for their respective maintenance until such portions should become payable as I should think fit to limit or appoint,

and whereas I have at this time living **seven younger children by the said Catherine**, to wit **two daughters and five younger sons**, now in pursuance and execution of the power so vested in me, it is my will and I do hereby limit and appoint that the sum of two thousand pounds part of the said of eight thousand pounds shall be raised and paid to my **eldest daughter Elizabeth Daly** at her obtaining the age of twenty one years or day of marriage, which soever shall first happen, in part of the portion which I intend her together with interest for the same at the rate of five pounds per centum from the day of my death till the said sum shall become payable, and I hereby further limit and appoint that the remaining part of the said eight thousand pounds shall be raised and equally divided between my **youngest daughter Ellen Daly** and my younger sons **Ralph, Peter, James, Richard and St. George Daly** share and share alike, and that the said Ellen's proportion thereof shall be paid to her at her age of twenty years or day of marriage which soever shall first happen and that my said younger sons proportions thereof shall be paid to them at their respective ages of twenty one years in part of the portions which I intended for them and my said daughter Ellen, and I do further limit and appoint that my said daughter Ellen and such of my said younger sons as are now under the age of twelve years shall from the day of my death have and be paid yearly for their maintenance interest at the rate of three pounds per centum for the respective proportions till they shall respectively obtain to the age of twelve and from that time till they shall respectively attain their age of sixteen years interest at the rate of four pounds per centum, and from thence interest at the rate of five pounds per centum till their said respective proportions shall become payable aforesaid.

And I do further limit and appoint that such of my said younger sons as have already obtained the age of twelve years, and are now under the age of sixteen years, shall from the day of my death have and be paid yearly for their maintenance interest at the rate of four pounds per centum for their respective proportions till they shall respectively obtain the age of sixteen years and from thence interest at the rate of five pounds per centum till their said respective portions shall become payable as aforesaid - and I do further limit and appoint that such of my younger sons as have already obtained the age of sixteen years shall from the day of my death have and be paid for their maintenance interest at the rate of five pounds per centum for their respective proportions until the same shall become payable as aforesaid, but if any of my said younger children should happen to die before their respective shares of the said sum of eight thousand pounds shall be become payable it is my will and I do hereby limit and appoint that the share or shares proportion or proportions of the younger child or younger children so happening to die shall go and be equally divided among the survivors or survivor of them, and shall be paid at the same time with their original proportions and in such manner and with such rates of interest, according to the respective ages of such survivor or survivors as herein before appointed to be paid for their original proportions, and whereas by the said settlement a power is also reserved to me to (XXXXXX) and incumber several lands and estates therein for (XXXXXX) purpose mentioned with any sum not exceeding ten thousand pounds to be applied and disposed of in such manner (XXXXXX) such uses as I shall think fit. Now it is my will (XXXX) in pursuance and execution of the said power (XXXX) the power in me vested accordingly charge and (XXX) the said land and estates with the said sum of (XXXX) thousand pounds sterling and it is my will, and I do hereby (XXX) limit and appoint that the same shall be raised levied and applied as hereinafter mentioned that is to say, I (XXXX) and appoint that the sum of three thousand pounds part of the said sum of ten thousand pounds shall be raised and paid to my said eldest daughter Elizabeth, and the sum of two thousand pounds other part thereof shall be raised and paid to my daughter Ellen, and that the remaining five thousand shall be raised and paid in equal shares to my said younger sons in order to complete the portions and provisions which I intend for my said younger children and

I do hereby direct and appoint that the said respective sums shall be paid to them respectively at such time, and in such manner as their respective shares of the said sum of eight thousand pounds are herein before appointed to be paid and that in the meantime – till the said sum shall become payable that my daughter Elizabeth shall from the day of my death have and be paid yearly interest at the rate of five ponds per centrum for her said proportion thereof, and that my said daughter Ellen, and my said younger sons shall have and be paid yearly from the day of my death interest at the several rates herein before mentioned, according to their respective ages in the same manner as is herein before appointed (XXXX) respect to their shares of the said sum of eight thousand pounds, and in case of the death of any of my said younger children before their said proportions of the said sum of ten thousand pounds shall become payable, it is my will and I do hereby appoint that the share or shares of the child or children so dying shall go to and among the survivor or survivors in such manner and be paid at such times and with such interest and in such manner as is herein before appointed to be done with respect to their shares of said eight thousand pounds upon the like contingencies happening them, I devise and bequeath to my said dearly beloved wife all my plate china household goods and furniture now remaining in Dublin or at **my house at Dunsandle** for her own use and I also devise and bequeath unto her the sum of one thousand five hundred pounds to be paid to her as soon as conveniently may be after my decease of the readiest part of my personal estate in order to provide for her maintenance and support till the highest (XXXX) of her (XXXX) shall become payable and the better to enable her to provide herself with a convenient house for her habitation either in Dublin or where ever else she shall choose to reside after my death.

And I do hereby devise and bequeath all the rest and residue of my personal estate and effects of what kind and nature soever to **Denis Daly my eldest son** subject to the payment of all my just debts, and I do hereby **appoint my said wife and my said son Denis executors** of this my will, and I do hereby also appoint said **dear wife guardian to such of my children** now under age till they shall respectively attain the age of twenty one years, and in case that my wife should happen to die before me or during the minority of any of my said children, I do in that (XXXX) appoint that my said son Denis shall be their guardian in the place of my said wife. I do hereby recommend it to my said son Denis when and as soon as my said younger sons respectively come to age to make such addition to the provisions hereby made for them not exceeding one thousand pounds apiece as he shall think reasonable to make for them or such of them as shall by their conduct and behaviour merit his regard and attention – IN WITNESS whereof I have hereunto put my hand and seal this ----- day of ----- **one thousand seven hundred and sixty nine.**

**James Daly** (Seal) signed

Sealed and published by the Testator as and for his last will and testament in the presence of us the named witnesses who have subscribed and named (XXXX) in the presence of the said Testator and in the presence of each other – **James O'Hara, Thomas Daly**

**The last will and testament of James Daly of Dunsandle** in the county of Galway – but late of the city of Dublin Esq. Deceased (having XXX soforth) was proved and approved in Common form of Law and Registered in his Majestys Court of Prerogative, and the burden of the Executor thereof together with administration of the goods (XXXXXX) of said deceased were granted by the Most Reverend Father also Judge Vc to **Catherine Daly otherwise Gore the widow of said deceased, and Denis Daly Esq.** The executors named in said will they being first sworn personally saving and soforth dated the **first day of July 1769** and they have to exhibit an inventory an as before the (XXXX) of January next ensuing. – A true **John Hawkins A Hawkins**