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prays Judgment of the Declaration a^d and that the said Declaration may be quashed & And for
causes of Demurrier the said Robert according to the forme of the Statute shew to the Court here these
following viz: — — — i. Admitting the above presented letters testamentary herein Court produced
to be true it is not sufficient in Law to Convince this Court upon a proferat in Curia after Oyer of
all prayed to prove the said Ann to be sole Ex^{tr} or indeed that she is in any sort Ex^{tr} without
producing the will of the dec^d — to the same annexed whereby to entitle her self as such
to maintain and bring her action against the dec^d — Lastly the said Declaration is
deficient in — matter of Substance and wants form &c. — And the a^d Anne prays the Justice here
that the Copy of the will of the said Alexander Draper and the probate thereof annexed
to the testamentary letters a^d by the said Anne with her declaration a^d into Court brought
may be enrolled which is granted her and is enrolled in these words In the name of God
amens in the first day of march Annoq Dom One thousand seven hundred and twenty seven
eight I Alexander Draper of the County of Sussex upon Delaware merchant being very sick of
body but of perfect mind and memory thanks be given to God therefore and calling into mind the
mortality of my body and knowing that ^{is appointed} for all men once to die do make and ordain this my
last will and testament (that is to say) principally and first of all I give and recommend my
soul into the hands of God who gave it nothing doubting but at the generall resurrection
I shall receive the same againe by the mighty power of God and as touching such worldly estate
as where with it hath pleased God to bless me within this life I give bequeath and devise in
manner and form following & Imprimis. I give ^{and} bequeath unto my ~~sons~~ sons Alexander and
Draper and William Draper all that tract of Land where I now live with the appur-
tenances thereunto belonging containing twode hundred acres of Land and marsh to be
equally divided between them that is to say the one moiety thereof whereof my house
and plantation is with the Land and marsh that lies most convenient to it unto my son
Alexander Draper his heirs and assigns for ever and the other moiety of the said Land
and marsh unto my son William Draper with the Land and marsh that lies most
convenient to his part to him his heirs and assigns for ever if it shall happen that
either of these my two sons a^d shall die before he attains to the age of twenty one years
then his surviving brother shall Inherit his part and moiety a^d for ever and shall
therefore pay or cause to be paid to his surviving brother and sisters one hundred pounds
Curat. Lawfull money of america to be equally divided amongst them. Item I
give and bequeath unto my son John Draper my mills and Land at deep free ⁱⁿ