

Made 19th February, 1770. Proved 16th May, 1772.

In the name of God, Amen.—

I, John Baylor of New Market, in the County of Caroline, being of sound mind and disposing memory do make this my last will and testament for settling my temporal concerns after recommending my soul to my blessed Saviour and Redeemer, trusting not in my own merits but in His mercy for Salvation and my body to the earth to be buried at the discretion of my dear wife and friends.

Imprimis.—I give to my well beloved wife, Frances Baylor, in lieu of dower and claim out of my estate the use of all that part of the tract of land whereon I now live, within the following bounds, that is to say—Beginning at the end of Pendleton Hill road opposite to my house and running thence to the branch which runs between my dwelling house and that wherein my stewards have lived—thence down the said branch to where it empties itself into the Great Meadow Swamp—thence along the said swamp to a dam formerly made across the same — thence a straight line to the river at a ford called Swift Water, down the river to Todd's line, along that line to the main road and along the road to the beginning. Also the following slaves, to wit:

Carpenter, Tom, Old Guilbert, Ben and Tom in the house, Michael, Joe, Sam, Ismael, Peter, Lewis, Ralph, Kicky, Robin, Pompey, Young Samson, Old Sarah, Beck, Caroline and her four children, Grace and Clara, Judy, Sam, Gabriel and Beck, Scilla and her six children, Caleb, Lewis, Armistead, Bernard, Agga and Scilla, Old Hannah, Isbell, Sall, Milly, Betty, Jenny, Thone and her two children Fannie and Bick, Christian and her two children Bird and Polly, Old Malade, Nan, Hannah,

Sylvia, Babbney, Esther and Humphrey, with their increase from the date of my will during her natural life and after her death, I give the said lands to my son John for such estate and subject to the like limitations and remainder as herein after mentioned in the devise to him of the residue of my home tract and the said slaves with their increase to be equally divided between my four sons, John, George, Robert and Walker Bay- lor, or the surviving heirs in case either of them should die before their marriage without issue. I give to my said wife as her absolute property one half of my stocks of black cattle, sheep, and hogs, half the grain of all sorts and plantation tools, all plows, horses and wheel carriages which shall be at my home plantation and Goose Pond Quarters at my death, also my chariot and seven horses now used to draw it, my riding chair, with one half of my household and kitchen furniture, spinning wheels and looms, and their tackle, to her Executors, Admin- istrators or assigns forever. And the estate given my said wife to be exempt from the payment of debts and legacies.

Item—I give and devise to my eldest son John Baylor the residue of the tract of land whereon I now live and the several parcels purchased thereto adjoining on the north side of Matta- pony river, with my Mill and Mill Quarter lands to my son John and the heirs of his body, and in default of such heirs I give the same with the lands lent my wife to my son George and the heirs of his body, and in default of such heirs to my son Robert and the heirs of his body, and in default of such heirs to my son Walker and the heirs of his body forever. I also give to my said son John all the lands I hold in the County of Orange with the slaves thereon, being eighty in number, and their future increase, also all stock of horses, cattle, sheep, and hogs, grain of all sorts, pots and pans, and plantation tools upon the said lands, also the following slaves, to-wit: Sawney a carpenter Gabriel and Ben (Smiths), two Martins (wheelwrights), Gilbert (miller), Lanny, Peg, Carter, Tom, Miles, Gabriel, Patty, Del- phin at home, and Old Jamie, Young Jamie, Austin, Dick, Lott, Penn, Grace, Zachary, Ned, Nat, Alice, Lott, Sarah and her children, at the Mill with their future increase, also all grain at the Mill, and all grain, stocks of black cattle, sheep, and hogs

and plow horses, pots, pans, and plantation tools of all sorts on the Mill Quarter plantation—half of my stock of black cattle, sheep and hogs at my home and Goose Pond Quarter plantation, my English horse Fearnought, and these mares, namely: Old Jenny, Dismal, English, Gray Steady, Sally and Lovely, and all my books, all of which I give to my said son John and his heirs, forever—upon this express condition, that he shall pay unto my son Walker Baylor six hundred pounds, when the said Walker shall become of the age of twenty-one. At the same time deliver to him two young male, Virginia bond tithable slaves to be his absolute property, and also a good young riding horse, and shall pay to him and each of his brothers George and Robert the sum of twenty-five pounds sterling to assist in a library which I highly recommend to be yearly added to, subject also to the charges here-in-after laid on my son John, but if my son John shall die before he arrives at the age of twenty-one years then the said slaves and stock devised to him shall be equally divided between my other three sons George, Robert, and Walker, or the survivors of them, subject, however, to the charges aforesaid.

Item—I give my lower Pole Cat tract of land in this county containing about three hundred acres to my son George Baylor and the heirs of his body forever, and in default of such issue, to my son John and the heirs of his body, and on failure of such heirs to my son Robert and the heirs of his body, and in default of such to my son Walker and the heirs of his body forever—I also give to my said son George all the grain, stocks of black cattle, sheep, and hogs, plow horses, pots and pans, and plantation tools upon the said lands, his own riding mare, Jenny, Dismal's colt, Godolphin—his young mare Sprightly at the old house, and the young brown English begotten mare Ballad Stella, with their future increase, together with the following slaves, to-wit: Bet, Jenny, Lawney, Goose Pond Nat, Shoe-maker Nat, Phil, Lee's Tom, Jack, Henry, Daniel, Kickey, Ambrose, Lewis, Jemmy, Ned, Hannibal, Peter, Will, Annibal, York, Dick, Adam, Solomon, Reuben, Eve, Pallas, Cate, Nan, Dice, Jenny, Christian, Rose, Hannah, Simon, Pleasant, Sarah, Evans, Flemming, Avy, Eve, Ester, Grace, Jerry, Isbell, Jack,

Michael, Jack, Nan, Ned, Will, Grace, and Stephee, and their future increase, all of which I give to my said son George, and his heirs forever, upon this express condition, that he pay unto my said son Walker the sum of two hundred and fifty pounds when the said Walker arrives to the age of twenty-one or marries, and then deliver him for his own use three good young Virginia born tithable slaves and twelve head of black cattle, subject to the charges here-in-after laid upon my said son George, but if my said son George shall die before he arrives at the age of twenty-one or marries, the slaves and stock devised to him shall be equally divided between my sons John, Robert, and Walker, or the survivors of them in case either of them should be dead without leaving issue, subject nevertheless to the charges aforesaid.

Item—I give my old house tract of land to my son Robert Baylor, and the heirs of his body, and in default of such heirs to my son John, for such estate and subject to the like limitations and remainders as are mentioned in the devise of my Caroline lands to him.—I also give to my said son Robert Baylor, all the grain, stocks of black cattle, sheep, and hogs, plows, horses, pots and pans, and plantation tools upon the said land, and his riding horse, a mare Lucinda, and her colt Sally, Steady, Fan, Rachel, with their future increase, together with the following slaves, to-wit: Hannibal a carpenter, Johnny, Bob and Sampson, Sawyer, Isaac, Judy, three children Charlotte, Godfrey and Bob, Ezekiel, Martin, a boy, Anny Cockery's daughter Judy, Joe, Harry, Kickey, Randall, Moses, Ezekiel, Ambrose, Larpedor, Jack, Dick, George, Frank, Molly, Cate Cockeney's Anthony, Amy, Sawney, George, Cloe, Jack, Charles, Esther, Dinah, Hannah, Stephen, Nancy, Dill and Ephram, Sarah and Lucy, Sally, Judy, Betty, Amy and Patty's Ester, and their future increase, all which I give to my son Robert Baylor and his heirs upon this express condition, that he pay unto my son Walker when he shall arrive to the age of twenty-one years, or marries, the sum of two hundred and fifty pounds and deliver him three young good Virginia born titheable slaves and eight head of black cattle to his own use, subject also to the charges here-in-after laid on my said son Robert, but if my said son

Robert shall die before he arrives to the age of twenty-one years, or marries, the slaves and stock devised to my said son shall be equally divided between my three sons, John, George, and Walker, or the survivors of them in case either of them shall be dead without leaving issue, subject to, however, the charges aforesaid.

Item—I give my upper Pole Cat tract of land containing between two and three thousand acres, and all of my lots of land in the town of Port Royal, purchased of Oliver Towles, to my son Walker Baylor and the heirs of his body forever, and in default of such heirs to my son John for such estate and subject to like limitations and remainders as mentioned in the devise of my Caroline lands to my said son John. I also give to my son Walker a negro named Hylliard to his own use.

Item—I give to my daughter Lucy Armistead all my South River tract of land with the land of Bohannon thereto adjoining to her and her heirs forever, also the following slaves, to-wit: Simon, Davy, Jeoffrey, Peach, Betty and her children Patty and John Wilkes, Milly, Esther and Judy.

Item—I give to my daughter Fanny Baylor her negro girl Sally and future increase and six hundred pounds current money to be paid her when she arrives to the age of twenty-one years or marries, but if she dies before she becomes of age or marries the said money is not to be raised, but be sunk for the benefit of my sons.

Item—I give to my daughter Courtney Baylor her negro girl Phebbe and six hundred pounds current money to be raised and paid at the time and upon the same conditions as Fanny's.

Item—I give to my daughter Betty Baylor her negro girl Angella and six hundred pounds to be raised and paid in manner and upon the same conditions, my meaning that my two last named daughters' fortunes shall be payable when they respectively become of age or marry, and are severally to be sunk for the benefit of my sons in case of their death before they come of age or marry.

Item—I give my granddaughter Fanny Armistead one hundred pounds and a negro Rachel called hers.

Item—I give unto my grandson John Baylor Armistead a

negro boy named Jemy called his, and a good colt at the discretion of my executors.

Item—I do hereby direct that the remaining half of my household and kitchen furniture, with all my horses, mares, and colts not before devised, be sold by my executors and the money applied to the payment of my debts and legacies, and my outstanding debts collected and applied to the same uses.

Item—My desire is that my whole estate except what is given and lent to my wife and daughter Lucy, be kept together and the profit applied to the common maintenance of my children unmarried and the payment of debts and legacies, until my son John arrives at the age of twenty-one years and comes to Virginia or sends to demand his part, at which time an account must be stated of the above sales, outstanding debts, and profits and what this shall be deficient in paying my debts and raising the fortunes devised to my three youngest daughters and granddaughter shall be supplied and paid one moiety by my son John and the other moiety by my sons George and Robert equally between them, and in the like proportion shall my sons contribute hereafter to the education and maintenance of my son Walker and three daughters Fanny, Courtney, and Betty until they respectively arrive to the age of twenty-one years or marry, and subject these charges as well as the condition expressed in each devise. My will is, that the bequeaths to my said sons John, George and Robert shall then take place and vest in them respectively. But if my son John shall die under age then such devision and settlement shall not take place until my son George shall arrive to the age of twenty-one years, or marries, and then shall take place in the manner aforesaid.

Item—I empower my executors out of the profits of my estate, if they find it convenient, to purchase land and slaves for all or any of my sons, charging same to such sons to be settled in the account on equal distribution of profits.

Item—My earnest desire is that in any division to be made of my slaves, particular care be taken to avoid a separation of families of slaves as much as possible.

Item—All the rest and remainder of my estate and interest therein not fully disposed of I give to my son John and his heirs forever.

Lastly: I constitute and desire my son John Baylor, my son-in-law Mr. John Armistead and my friends Gregory Baylor, Nathaniel Burwell, Edmund Pendleton, Anthony Thornton, Erasmus Taylor, James Madison, James Taylor, Jr. and John Semple, Gentlemen, to be my executors of this my last will and testament, and the five first named to be guardians of my children during their minority.

In witness whereof I have signed my name to the first sheet of this, my will, and to this last have set my hand and seal, this 19th day of February, 1770.

Signed and published by the testator.

J. Baylor.

SEAL

The words "and daughter Lucy" in this sheet first interlined in presence of us who subscribed the same in his presence.

Maury Dudley.

John Fitzhugh.

Henry Turner.

Christ. Blackburn.

At a court held for Caroline County the 16th day of May, 1773, this will was proved by the oath of Maury Dudley and Christopher Blackburn and admitted to record on the motion of Nathaniel Burwell and John Armistead, Gentlemen, who having taken the oath prescribed by law, certificates for obtaining a probate thereof is granted them.

Bond acknowledged and ordered to be recorded.

Teste—

William Nelson, Clerk.

Recopy Teste—