

In the name of God amen I Benjamin Harris of the Marican Town in the  
county of Cumberland being old and infirm of body do make and declare this to  
be my last will and testament in manner and form following that is to say first

I give and bequeath to my loving wife Pappilla the up of the tract of land between  
Irono lake that lies above the line running from the river Kenora to be the divi-  
ding line between the lands I purchased of James Sublet and Peter David to  
hold to her for and during the term of her natural life and no longer.

Item I also give to her the up of the following six negroes namely Tom Charles  
Isaac Jack and Favin and likewise the up of all my household goods of the  
said plantation with twenty head of suitable cattle twenty head of suitable  
hogs a small mare called Diamond and her colt and the negro called Black Jack  
to hold to her for and during the term of her natural life only and after her  
death the same to be equally divided between my two sons and it is also  
my will and intention that the above estate be accepted by my said wife in  
lieu and full satisfaction of and for her right of dower in all my estate.

Item I give and devise unto my son Benjamin the tract of land I now have or contain-  
ing about fourteen hundred acres to Fish and to the heirs of his body lawfully begotten  
forever the up of the part allotted to my wife shall reserve to her as I aforesaid.

Item I give and devise to him my said son my two tracts of land lying on Beau-  
cok river containing about twelve hundred acres situate in the county of Mackinac  
that I have my said son Benjamin and his heirs forever

I know her that lies above the line running from the river known to be the dividing line between the lands purchased of James Beckett and Peter Davis to hold to her for and during the term of her natural life and no longer.

Item I also give to her the use of the following six negroes namely Tom Charles Isaac Jack and Tamin and likewise the use of all my household goods of the said plantation with twenty head of suitable cattle twenty head of suitable hogs a sow and mare called Diamond and her colts and the hogs called Black Jack to hold to her for and during the term of her natural life only and after her death the same to be equally divided between my two sons and it is also my will and intention that the above estate be accepted by my said wife in love and full satisfaction of and for her right of dower in all my estate.

Item I give and devise unto my son Benjamin the tract of land I now live on containing about fourteen hundred acres to him and to the heirs of his body lawfully begotten forever the use of the part allotted to my wife shall remain to her as above said.

Item I give and devise to him my said son my two tracts of land lying on Beantock river containing about twelve hundred acres situate in the county of Westburg to him my said son Benjamin and to his heirs forever.

Item I give and devise to my son William Wager all my lands lying on James river and Selley's creek commonly called the lower Hennessy tract in the counties

in and out of the said estate of the late quantity also a tract to me granted by patent  
of the said estate of the late quantity also a tract to me granted by patent  
of the said estate of the late quantity also a tract to me granted by patent

between them all the remainder of my negroes and personal estate enough so  
much as to have given to my wife and daughter.

From I give to my daughter Mary Spencer and Mercy Wager Manley each the sum of  
one hundred pounds current money to be raised out of the profits of my estate  
I also give to each of my said daughters four young negroes to be delivered to them  
at the discretion of my executors.

I also give to my said daughter Mary Spencer one bed and furniture or two  
hundred pounds current money.

From I give to my daughter Phoebe Beath Smith and Mercy Gerson Wager each  
the sum of one hundred pounds current money to be paid within twelve  
months after they respectively come of the age of eighteen years or more  
and also a further sum of two hundred pounds like money to each of them  
when the same can be conveniently raised from the profits of my estate  
to be paid at the discretion of my executors also four young negroes to each  
of them to be delivered as above.

I also give to each of my daughters one hundred bed and furniture or two  
hundred pounds current money.

to be paid at the discretion of my executors also four young negroes to each  
of them to be delivered as above.

I also give to each of my daughters unmarried a bed and furniture or two  
pounds and my will is that if any of my daughters shall die leaving no  
child then the part of her legacy not paid to her shall depend to my two  
sons Benj<sup>a</sup> and W<sup>m</sup> Wager to be equally divided between them.

Now I give to my two sons Benjamin and W<sup>m</sup> Wager all my right and title in and  
to three lots of land in the town of Manchester to them and to their heirs forever  
to hold in severalty as tenants in common.

Now my will is that my son Benjamin pay to my son William Wager the  
sum of three hundred pounds current money in regard that the estate given  
to my son Benjamin is more valuable than that given to my 2<sup>d</sup> son

William Wager and I do direct my executors in case my said son Benjamin  
fails to pay the same to sell so much of his estate as will raise the money  
and to pay the same at their discretion allowing my said son Benjamin

the term of four years after he shall get possession of his estate to pay  
the same in.

And it is my will that the tract of land purchased of Joseph Levy containing ten  
thousand acres lying near the town of Starbuckton in y<sup>e</sup> county of Lythoylvernia  
and colony Transylvania be equally divided into eight parts by eight lines

parallel one to another the first part lying next the

sons Benj<sup>n</sup> and W<sup>m</sup> Wager to be equally divided between them.

Item I give to my two sons Benjamin and W<sup>m</sup> Wager all my right and title in and to three lots of land in the town of Manchester to them and to their heirs forever whole or severally as tenants in common.

Item My will is that my son Benjamin pay to my son William Wager the sum of three hundred pounds current money in regard that the estate given to my son Benjamin is more valuable than that given to my 2<sup>d</sup> son William Wager and I do direct my executors in case my said son Benjamin fails to pay the same to sell so much of his estate as will raise the money and to pay the same at their discretion allowing my said son Benjamin the term of four years after he shall get possession of his estate to pay the same in.

One of my wills that the tract of land purchased of Joseph Terry containing two thousand acres lying near the town of Starbuck in y<sup>e</sup> county of Northumberland and colony of Pennsylvania be equally divided into eight parts by eight lines running from the river parallel one to another the first part lying next the town of Starbuck I give to my son Benjamin the second part joining the first I give to my son W<sup>m</sup> Wager the third part joining the second I give to my eldest daughter Mary the fourth part joining the third I give to my daughter Mary Spencer the fifth part joining the fourth I give to my daughter Edith the sixth

part journey the first I gave to my daughter Mary the sum of £100  
journey the second I gave to my daughter Sarah the sum of £100  
daughter Mary the sum of £100  
and lastly this my will and desire that my whole estate be kept together by my execu-  
tors for the paying of the aforesaid money legacies and for the maintenance of  
my wife and maintenance and education of my children till my son Benjamin  
or in case of his death till my son William Mager shall arrive to the age of twenty  
one year and that then his part of the estate be divided to him he will contribu-  
ting a reasonable part of the expense of maintaining and educating the other  
children while under age allowing the girls to 18 of age at eighteen years still  
leaving it in the power of my executors to deliver up to my daughters their re-  
spective shares as herein before mentioned.

And I do further appoint and ordain Abraham Salt, Thomas Stanley  
Samuel Stearns and Benjamin Marcheson to be the executors of this my last will  
and testament revoking and making void all others and former wills by me  
made and I do further will and desire that my estate shall not be appraised  
In witness whereof I have hereunto set my hand and seal the twenty fourth  
day of April in the year of our Lord one thousand seven hundred and seventy  
six.

Witness sealed published & declared  
in presence of

Benj. Harris S. S.

Samuel Bellamy

William <sup>his</sup> Haer

George <sup>his</sup> Shaffer

Abraham Sells

At a court held for Cumberland county 23<sup>rd</sup> September 1776.

This last will and testament of Benjamin Davis deceased was exhibited in court by Abraham Sells executor Morley and Samuel Ninnes three of the executors therein named and the same was proved by Samuel Bellamy and William Haer two of the witnesses thereto and ordered to be recorded and on the motion of the said executors who made oath according to laws certificate is granted them for obtaining a probate thereof in due form giving security where upon they together with Charles Woodson John Mays and Richard Brewins their securities entered into bond with condition that no right to letters and liberty is reserved to the other executor to join in probate.

Jud. Thompson Secum. Clk.

At a court held for Cumberland county 25<sup>th</sup> November 1776

On the motion of Benjamin Morchison one of the executors in the will named who made oath according to laws certificate is granted him for obtaining a probate thereof in due form giving security where upon he with William Davis his co-executor entered into bond according to laws.

Jud. Thompson Secum. Clk.

Examined