

Of course I give to my son John Henry Mallory his first choice of my five acres & my several
to him and his heirs for ever
I then give My son Thomas Mallory the next choice of my five acres to him and his
heirs forever. &c
Then I give to my son James Mallory the last choice of my five acres to him & his
heirs for ever. Then I leave &c the remainder part of my Estate of lawful my
just debts are paid to be equally divided among these my five sons Thomas
James, James Goodwin and William Mallory and their heirs Lawfully
begotten of their body forever, but my farther intent and meaning is
that my beloved wife Sarah have the whole of the personal property of my said
son John Thomas & James James Goodwin & William Mallory to work on
the plantation until each of them arrive to Lawfull age, then my intent and
meaning is that they as they arrive to Lawfull age to draw those Equal parts of the
said personal property which shall be left after my just debts are paid
and that my said wife Sarah maintain and educate my said five sons
Thomas James & James Goodwin & William Mallory for the use of their

In the name of God a men J. Howard Mallory of Elizabeth City County being sick
and weak in body but of perfect mind and memory calling to mind the uncertainty
of this life and to make and declare this my last will and Testament First I recom-
mend my soul to the hands of Almighty god that gave it me in token of receive-
ing full remission for all offences here committed. Through the merits of my gracious
saviour, and as for my worldly estate it hath please almighty god to bless me with I
give and Bequeath in manner following To my dear friend J. Henry into my beloved wife
Bracewell Mallory one half of my tract of Land now live upon taking from that point
up to the road and along by the river then led into the wood land, allowing her fire
wood and oak timber & liberty of cutting & selling trees for wood to fell three Negroes
by name Dick America & Tenaby my single riding Chair and the half of all kinds
of my stock and all my Household and Kitchen furniture and after her death my
indent and meaning is that the said Land and Negroes and Horse tools & Kitchen
furniture which I lend my wife, Give to my son Johnson Mallory and his heirs
for ever lawfully begotten of his body and the good I have my wife, after her death I give
to be Equally divided between these my three sons Edward Mallory James Governor
Mallory & William Mallory and their heirs for ever, as to the riding chair I bequeath
to my beloved W. H. Snow give to her and her heirs for ever.

Item I give to my Daughter Elizabeth Wallace three Negroes viz some grace
Angae and China, Eight Head of Cattle & ten Head of sheep to her and her heirs
for ever Item I give to my son Johnson Mallory the remainder of my said
Land now live upon, and one Negro viz Henry and the other half of all kinds

Mallory & William Mallory and their heirs for ever, as to the riding share & husbandry
to my beloved W. J. J. I now give to her and her heirs for ever.

I have given to my Daughter Elizabeth Wallace three Negroes viz woman Grace
Angela and China, Eight Head of Cattle & ten Head of Sheep to her and her heirs
for ever. I have given to my son John Mallory the remainder of my said
Land now hereupon, and one Negro viz Henry and the other half of all horses
& of my stock to him and his heirs for ever lawfully begotten of his body. —
I have given to my son Francis Mallory my Land and plantation on Back
River and my Hands and all things now in the hands of M. James Goodwin
to him and his heirs, for ever lawfully begotten of his body and of his heirs
I give the said Land to my eldest surviving son except John and my father
intending that if my son John Mallory should die without heir his Land and other pro-
perty to be equally divided amongst my three sons James Goodwin & William
Mallory & likewise the Land and other property she be lent to my wife after her
death my desire is that the said Land and property should be equally divided
amongst my three sons James Goodwin and William Mallory
and their heirs for ever lawfully begotten of their body —
I have given to my Daughter Elizabeth Wallace viz. viz Mary Ware and one sheep
and furniture to her and her heirs for ever —

John Over

Elizabeth City County Court September 28th 1789

287a

The last Will and Testament of Edward Walling deceased was produced in Court and proved by the Oaths of Clark Hall,

Joseph Cooper and Shelden Mop three of the Witnesses thereto read & be recorded and on the motion of the Executors in the said will named who made oath according to Law Certificate is granted her for obtaining a Probat thereon and from thence upon she comes with Miles King and George Backer Gent her Securities entered into and acknowledged being in the Penalty of Three Thousand Pounds Condition as the Law directs

Can. money

Will.

Proced. of I

Exam.

Sept. 17. 1893. 24

1893