

In the Name of God Amen I Judith
 Herbert of the Parish and County of Elizabeth City
 Widow being in perfect health sense and memory
 thanks be to Almighty God for the same calling
 to mind the uncertainty of this Life do make
 Constitute Ordain and declare this my last Will
 and Testament in manner and form following
 annulling by these Presents all and every Will and
 Wills heretofore by me made either by Word or
 Writing and first being heartily sorry for my sins
 first most Humbly desiring forgiveness of the same
 I commit my Soul to Almighty God trusting to
 be saved through the Merits of Jesus Christ and
 my Body to be buried where it shall please my
 Executors hereafter named shall appoint and
 as to settling my Temporal Estate which it hath
 pleased God to Bestow upon me I do Order give and
 dispose the same in manner and form following
 that is to say

Imprimis I Give and Devise unto my two Sons
 John Herbert and Pascon Herbert ^{and to their Heirs forever} my House and
 Plantation whereon I now live to be equally divided
 between them ~~provided~~ ^{that} my said Son John Herbert
 comes to Virginia ^{himself} or Person to claim a Mority
 but in Case ~~he~~ ^{he} should never come in to claim the same
 then I Give and Devise my ^{whole said} House and Plantation

unto my said Son Pascon Herbert Herbert and to his
Heirs forever He paying unto the lawful Son of the
said John Herbert if he should have any ^{living} at my death
the Sum of Two hundred pounds Current money and
in Case he should have no Son living then I desire my
said Son Pascon Herbert should pay unto John Herberts
Eldest Daughter if any the said Sum of Two hundred
Pounds Current money at my death

Item I Give and Devise unto my Two Sons Thomas
Herbert and Joshua Gurle Herbert and their Heirs forever
my Land and Plantation in the County of Norfolk
to be equally divided between them provided my said
Son Joshua Gurle Herbert should return to Virginia in
Person to claim a moiety ^{thereof} But in Case He should never
come in to claim the same then I Give and Devise the said
Whole Plantation unto my Son Thomas Herbert and
his Heirs forever ^{on Condition} that my said Son Thomas Herbert survives my
said Son Joshua Gurle Herbert But in Case he should die before the
said Joshua Gurle Herbert then I Give the whole to Joshua Gurle Herbert His Heirs forever

Item I Give and Devise unto my two Sons John Herbert
and Pascon Herbert and to their Heirs ^{forever} my Land and
Plantation lying and being in Elizabeth City County on
Savoyers Swamp to be equally divided between them provided
my said Son John Herbert should return to Virginia in
Person to claim a moiety ^{thereof} But in Case He should never
return to claim the same then I Give and Devise the
Whole Plantation unto my Son Pascon Herbert and his
Heirs forever

This instrument made third before signed
by the testator

Item I Give and Bequeath unto my Son Joshua
Gwile Herbert the sum of Two hundred Pounds
Current money But in Case He never returns
Home from beyond Sea then it is my Will and
desire that the said Sum of Two hundred Pounds
be divided in the following manner one hundred
Pounds half of the above Sum I Give and Bequest
unto my Daughter Rosca Tyler Herbert and the
other one hundred Pounds I Give unto my two Grand
Daughters Judith Gwile Armistead and Elizabeth
Moreley Armistead equally to be divided between
them

Item I Give and Bequeath unto my Son Pascon
Herbert three large ~~Silver~~ Silver Spoons and three
Silver Tea Spoons.

Item I Give unto my Daughter Rosca Tyler Herbert
three large Silver Spoons and three Silver Tea
Spoons

Item I Give and Bequeath unto my Daughter Rosca
Tyler Herbert my Bed and Furniture

Item I Give and Bequeath unto my Son Pascon
Herbert One Bed and Furniture

Item I Give and Bequeath unto my Grand
Daughter Judith Gwile Armistead my large
looking Glass above Stairs

Item It is my Will and desire that after my Just
Debts are paid that what ready ^{money} is remaining
is to be divided in the following manner ^{that is to say} One
half I Give and Bequeath unto my Daughter
Rosca Tyler Herbert and the other half I Give
unto my two ^{Dear} Daughters Judith Cule Armistead
and Elizabeth Mosely Armistead equally to be divided
between them -

And lastly I do nominate and appoint my loving
Son Pascon Herbert and W^m. Miles King Executors of
this my last Will and Testament Given under my
Hand and Seal this 16th — Day of February
Anno Domini One thousand seven hundred and
Seventy Nine —

Signed Sealed published and ^{Judith} ^{her} ^{Mark}
declared by the Testator as and ^{Herbert}
for her last Will and Testament
in the presence of
Benj. Bryan —

Thoby W. Waters,

Wm

James

1779

Judith Armistead

Testament of

The last Will and