

In the Name of God. Amen. I Wilson Cary of Berkeley
in the County & Parish of Elizabeth City of sound and perfect
Mind & Memory do make and publish this my last Will and
Testament in Manner and Form following.

I give & bequeath to my dear Wife Sarah Cary the Sum of
five hundred Pounds current Money, her Cabinet, Gold Wa.
and Rings my Coach, Post Chariot & Horses, Chair Carts and
Harnes and all my Household Goods and Kitchen Furniture
Liquors of every Sort, Provisions all the new Goods in my House
at the Time of my Death and what new Goods are sent for
to Britain or else where the year I shall dye, tho' not arrived
except the Negroes bloaths, Tools &c. sent for my Slaves in
Gloucester and King & Queen, which I desire may be
applied for their Uses. I also lend my said dear Wife
during her Life the Use of all my Plate and what Books
of mine she shall chuse. I lend also to my said dear
Wife during her Life all my Lands in Elizabeth City
County and whatever Lands in the said County I shall in
hereafter purchase & hope my dear Son will let his Mother
use & enjoy the same, tho' the Laws may not strictly en-
fermit me to devise Lands of which I may not be seised in
my Life times. I also lend to my said dear Wife during her
Life the Slaves I may have in Elizabeth City at the Time
of my Death and all the Stocks of every Kind kept upon the
said Lands all of which Lands Slaves & Stocks I lend her the
sole Use of without being accountable to any Person. I hereby
order & direct my Son Wilson Miles Cary to pay to his Mother
annually on the first Day of January the Sum of one
hundred Pounds current Money in Silver full of her
Power Share thirds or Part, which she may or might
claim to my Lands Slaves Stocks &c. in the Counties of
Albermarle, Henrico, Warwick Gloucester, and King & Queen
which said Sum of one hundred Pounds, if he neglects
delays or ref useth to pay within two Months after it
becomes due, I hereby authorise & give Power to his said
Mother to take, Seize and expose to public Sale as many
of the Slaves my said Son shall or may inherit from
me as will fully satisfy & pay what is at any time behind
or remains due to her of the above annuity and to discharge
the Costs that may accrue thereon. I also give to my said dear
Wife, while she continues sole full Liberty of Power to cut
sell & carry off Wood, Plank or other Timber from any

in Elizabeth City County without any molestation or impeachment
of waste.

My Pew in Church of Elizabeth City Parish. I hereby annex to my
Messeuage in the said Parish called & known by the name of
beeleys willing the said Pew may go and pass forever with the
same Messeuage, as the same shall descend.

Whereas I am told that the Widow of George (Dudley formerly my)
Overseer hath, by her Will left me a Legacy, I give the said Legacy
to her son living in King & Queen near Popotank.

I desire my Executors will send to England for the following
Books all lettered & bound in calf, viz. the Spectator, Pamela, Clarissa
and Dr Charles Grandison, which said Books I give to my Grand-
daughter Sarah Cary. I give devise & bequeath to my son
Wilson Miles Cary, to him and his Heirs forever all my Lands, Slaves
Stocks & other Things whatsoever lying & being in the Counties of
Warren & Henry and after his Mother's Death all my daughter
Slaves, Stocks & other Things whatsoever lent to her during her life
in the County of Elizabeth City.

Item I give and bequeath all my lands in the County of Warwick
together with my Water Grist Mill to my son Wilson Miles Cary
and the Heirs of his Body lawfully begotten forever and on Failure
of such Heirs of the Body of my said son then to the Heirs of myself
and the Heirs of their Bodies lawfully begotten forever and
on Failure of such my right Heirs then to and the use of
the Parish of Warwick in the County of Warwick for a glebe
for the Benefit of the Minister of the said Parish forever.

Item I give and bequeath all the lands I have purchased in the
County of King & Queen to my son Wilson Miles Cary and the
Heirs of his Body lawfully begotten forever.

Item I give and bequeath all my lands in the County of
Gloucester together with my Water Grist Mill to my son
Wilson Miles Cary & the Heirs of his Body lawfully begotten
forever.

Item I give & bequeath to my said son Wilson Miles Cary
all my Slaves Stocks Plantation Wreasts and other Things
on my lands & Plantations in the Counties of Mr. in
Gloucester and King & Queen to him and his Heirs
forever.

Item I give to my Granddaughter Sarah Cary when she is twenty
one years old or when she is married, on condition it is with the consent
of her Father or Guardian, the sum of five Hundred Pounds
current Money of Virginia.

Whereas I lent my son the sum of three Hundred and fifty four Pounds for which I have his Bond bearing Date the 23rd of January 1765 with Interest thereon from the 10th Day of April 1765, I do hereby assign over & give in Trust to my other Executors for the sole Use Benefit and Behoof of my Granddaughter Mary Munro Cary the said Bond & the Money due thereon to be paid her when she is twenty Years old or when she is ~~in~~ with the Consent of her Father or Guardian, with the accruing Interest and I desire and request my Executors when the Sum given my said Granddaughter can be had & received that the Money may be put out upon Interest on undoubted Security for the Use and Benefit of my said Granddaughter that it may be increased when they are entitled to receive the said Legacies.

I had in a former Will made a Provision for my Daughter Mary Sarah Cary in Case I should survive my Son Wilson Miles her Grandfather but at the Request of my said Son I have omitted the said Provision.

Item I give and bequeath unto my said Son Wilson Miles all sums of money I may have due to me in Great Britain now or at the Time of my Death and first that all sums of Money which my said Son has paid for me or engaged to pay on my Account or to be paid him out of my Estate here and abroad as Part of my Debts and I esteem and reckon what Provision I have ^{made} for his Children or any of his Family as given to himself.

All the rest and residue of my Estate not heretofore disposed of after paying my just Debts and the Legacies in this Will specifically given I give to my four Daughters Sarah Mary Anne and Elizabeth and my said Son Wilson Miles any over and above what I have paid to the Dusbands of my said Daughters in various Portions and over and above what I have already given to them and my said Son equally to be divided between them And I do hereby give and bequeath to my Executors the Part or Share also to my said Daughter Elizabeth Fairfax In Trust for the Use and Benefit of my said Daughter Elizabeth and I direct the same to be put out at Interest upon good undoubted Security and the Profits or Interest thereof to be annually paid to my said Daughter Elizabeth upon her own Receipt without the Intervention of Bryan Fairfax her Husband towards the Maintenance & better Support of her & her Children and to her sole Use Benefit Behoof &

4 Disposal during her natural life and after her Decease the principal sum to her Daughters and her son William towards his Support I mean all such Daughters as she may leave at the Time of her Death And whereas the said Bryan Fairfax is indebted to me by Bond I do hereby direct my Executors when the said Money be received to put the same also to Interest and to pay the said Interest annually to my said Daughters — Elizabeth during her natural Life in the same Manner and under the like Conditions and Terms as before is directed for her Part of my personal Estate and the Principal Money at her Death to go and be divided in the same Manner as that is directed.

Item I give to my dear stepson Col^l Gary Selden fifty Pounds current Money in full of all Demands he may have upon me & give my farther Will that if he should not otherwise be able to reimburse himself for the loss he hath sustained in some Carolina Money which he had to dispose of for me I do think Col^l Selden is liable for the same that he may be indemnified & paid out of my Estate.

Item I give to Mrs Elizabeth Byre the sum of twenty Pounds current Money and a Suit of Mourning out of Col^l Prentiss Store upon Condition she continues with my dear wife unless they should mutually agree to part.

I direct my Executors if they should think my Estate can conveniently afford it to lay out one hundred Pounds Sterling in purchasing of Rings of such Value as they may approve but if my personal Estate should fall short according to my Expectation that they have Power to omit Part or all of the said Rings as they may think proper except one which at all Events I desire may be a handsome one and presented to my dear Sister Selden as a Token of the affectionate regard I bear to her; the other Rings to be bought at the Discretion of my Executors should they be bought.

Item I give unto Rob^t Carter Nicholas Esq^r the sum of one hundred Pound current Money for his extra Trouble and Advice.

In Case any Difficulties or Disputes should arise on any Thing in this my Will, on such Occasions, to avoid the Expence and Delay of Litigation I recommend that two honest & disinterested Persons may be chosen as Referees, if they cannot agree that a third Person may be added to end & decide all that is in Controversy.

1746.
5 Item I give to my Grandson Miles Cary my Silver Watch and
my Sword and Pistols loaded with Silver and my other Arms

Whereas I was with the Honble John Blair of Law John Bolling
deceased left Executor to my Sister Anne Whiting who by her last
Will and Testament has given nine ^{Six hundred Pounds} Hundred Pounds out there of
from Colo Henry Whiting the said John Bolling before I was
to ~~an~~ ^{an} Executor received without my Privity and against
my Approbation and the remaining three Hundred Pounds
due from myself was paid at the Desire of the said John Blair
upon an ample Mortgage recorded in the General Court for the Use
and Benefit of the legatees to me James Shields. Since which
Payment none of the Principal or Interest has been in my Hand
but wholly in the Disposition and Management of the said John
Blair who received the money and applied it to his own
use and ~~disposal~~ ^{disposal} I hereby desire and require that you direct my Executors
to get legal and due Charges or accept of Bonds from the legatees
for the full sum of nine hundred Pounds and all the Interest
due thereon and if they shall refuse or neglect to give such
Discharges that my Estate may be endangered I hereby order and
direct my Executors to apply to the General Court in Chancery or to
pursue any other ways that shall be judged or advised most
proper and effectual to obtain the same

As I may leave verbal Directions as to some trifling Matters
I desire they may be complied with

I do hereby appoint my dear and dear son Wilson Miles
Cary my son in Law Robert Carter Nicholas and my Nephew
Richard Cary of Warwick Executors of this my Will. I desire
that my Executors may not be obliged to give any Security for
their Performance of the Trust hereby reposed in them and I do
hereby expressly declare that my son Wilson Miles Cary is not
by any Means intended by my appointing him an
Executor to be released from the Debt due to me by Bond of which
I have given to his Daughter Mary Nicholas Cary And I
desire the said Robert of Richard will each of them accept the
Sum of fifty Pounds as a farther Token of my Regard of Esteem
for them upon Condition that they give a life and act as Executors
to my Will, Revoking all other Wills by me here to fore
made I do declare this Writing contained on five Pages of
Paper to be my only true last Will & Testament In Witness
whereof I have hereto subscribed my Name & Affixed my Seal this
tenth Day of October in the year of our Lord one thousand seven
hundred & seventy two

Signed Sealed, published & declared by The Testator
at his last Will & Testament in Presence
of us who at his Request him in his Presence subscribed
our Names as Witnesses thereto

Sam. Nowland

James Gill

Abram Parvish

Wilson Cary

Wm. Roade

Thomas Wooten Junr

Rephah Ward Marsh

A Court held for Eliz. City County

Feb^r 25. 1773.

The last Will and Testament of Wilson Cary Gent.
 was proved in Court by the Oaths of the
 Witnesses thereto and Order'd to be Recorded
 And on the Motion of Wilson Miles Cary Gent.
 one of the Ex^{rs} named in the said Will who made
 Oath according to Law (Certificate ^{was} granted him
 for obtaining a Probate thereof in due form
 no security required - liberty reserved for the
 other Ex^{rs} to join in the said Probate when they
 shall see fit). And at a Court held for the said

County, the 22. April 1773 Rich^d Cary Gent.
 took the Oath of an Ex^r to said Will & did
 join in the Probate thereof And at another
 Court held for the said County May the
 27. 1773. Robert Carter Nicholas Esq^r
 took the Oath of an Ex^r to the said Will & he
 is joined in the Probate thereof

Test W. Wager