

*I Thomas Day of the Shropshire County being in the full
 best of sound Mind, Memory, and Understanding, do hereby make, give and
 appoint this my last Will and Testament in Manner and to the
 following. (to wit)*

First I give to my loving Wife Mary Day, the Use of the Negroes, during her
 natural Life /to say/ Tom, Beja, Moll, Tigg, Doll, and Jane, and after her
 Decase, I give the said Negroes, to my two Sons, Thomas and John Day
 to be equally divided between them; Likewise give to my said Wife
 Mary One Bed and Furniture, One Walnutt Oval Table, Three feet and
 half, in the Bed, One Tea Table, One Stand, and half Dozen of plain Chairs
Item I give and Bequeath unto my Son Thomas Day, four Negroes /to say/ York
 Molekin, Lucy, and Coffe, likewise my Still, Cap, and Worm, One third of
 Drawers two Oval Tables, three Feet in the Bed, one with lattice feet, the other
 a turned Frame, and half a Dozen large Chairs, with Walnutt Frames
 Upon this Proviso, That he my Son Thomas Day, doth at his
 coming of age agree, that all the Profits of his whole Estate, both
 real and personal, that shall be thought more than sufficient /by
 my Executors herein after mentioned, / for his and the said Slaves
 Maintainance, may from the Date hereof be applied, to the
 maintaining, and educating, of his Brother John Day, till he the
 said John, shall arrive, at the Age of Eighteen, and in case that he
 my Son Thomas should ever endeavour to bring, his said Brother
 to an Account, for the Moneys or Profits, so expended, then it is
 my Will and Desire, that the above Slaves York, Molekin, Lucy and
 Coffe together with, the Still, Cap, and Worm, and all other Legacies
 before given, may immediately be the Right and Property, of my Son
 John Day, hereby barring my said Son Thomas Day, from any Right or
 Claim, from this my Will, to any of the above Legacies, I also give to
 my Son Thomas Day my silver hilted Sword, my Pistols
 Shoulders, and Housing, also my riding Saddle, And further it is
 my Will and Desire, that if my Son Thomas should die without
 lawfull Issue, that my Son John Day should have and be
 immediately possessed, of the said Slaves, and other Legacies above
 mentioned.

Item I give and Bequeath to my Son John Day, five Negroes /to say/ Jacob, Nancy
 Belinda, Charles, and Harry, also one Furniture, One large Oval Table
 for

364 I am sick in the face, and am very feeble, and am very desirous to leave
my dear children, and my dear wife, and my dear son John Day, who is now without lawfull
issue, it is my desire that my son Thomas Day, may have the share
of Jacob, Mary, Abigail, Charles and Harry, and all the other legacies
above mentioned, and further I give to my son John Day, Twenty five
Pounds in money, to be paid out of my estate, to be applied towards
sowing and Building on a Lot, or Lots, in the Town of Smithfield
if my Executors shall think it necessary, or advantageous to him
It is my will and Desire, that my Executors herein after mentioned
may have the sole Right and Property, of bringing up my two Sons
Thomas and John Day, in such manner and to such lawfull
Business or Employments, as they shall think most to their Benefit
and Advantage, and their Estates will allow.

Lastly, It is my will and Desire, that all the Remainder of my Estate of
what Nature or kind soever, after my Funeral Expenses and Debts are
paid, may be equally divided between my loving Wife and my two Sons
Thomas and John Day, leaving my Wife Mary Day Executrix and Mr
William Hoadson, and Maj^r Benjamin Cooke Executors of this my last
Will and Testament whereunto I have set my Hand and Seal this
Twenty fourth Day of July 1750.

In presence of us as Witnesses

William Harrison
James Whaddon

Tho^s Day L.S.

Court held for Sole of Wight County October 3^d 1752

The last Will and Testament of Thomas Day last deceased was presented in
Court by Mary Day and William Hoadson two of the Executors therein named
who made Oath thereto and being proved by the Oath of William Harrison
and James Whaddon, the Witnesses thereto, is ordered to be Recorded.

J
Pate