

Forasmuch as the name of God, amen! I John Bay
 of King and Queen County, hereby receiv-
 ing and annulling all former wills made
 by me, do make and publish this my last
 will and Testament, as follows, to wit.
 Supposing, By virtue of a marriage Contract
 entered into between my blessed wife Elizabeth
 and myself, before our intermarriage, she
 is not entitled to demand any portion
 of my estate, either for dower or Thirds
 or in any other way as my widow. I have
 always intended therein to make provision
 for her out of my estate, as a token of my
 affection and confidence, but I very much
 regret that the recent heavy losses of
 property, which I have sustained in
 consequence of the war, have it out of
 my power, to do so. I am indebted to
 my said wife however, in the sum of
 Twenty five hundred dollars, which she
 had in hand at the time of our mar-
 riage. I direct that this sum be paid to
 her, in good bond or otherwise, so soon
 after my death as conveniently may be
 done, but without interest, and her
 lawful use of the interest for our mutual
 advantage.

Item. I direct that my daughter Elizabeth
 Coot shall have the privilege of purchas-
 ing from my executors, privately, if she
 shall wish to do so, the tract of land
 called Griffiths, which is situated
 between about one hundred and twenty
 five acres, at a moderate price, to be
 fixed by two or more discreet persons
 who shall be selected by my executors.

for that purpose.

I then; It has always been my intention to give to each of my Children, an equal share of my estate with the rest, and with this view, I have charged them with advancements which I have from time to time, made to them, intending that these advancements should be accounted for by the Children to whom they were made, when they were living, and the issue of such of them as might be then dead, leaving issue, in the final division of my estate. These advancements will be found charged on my books, and they will be found unequal in amount, & one of my Children having been advanced much larger than others, owing to the losses & expences which I have sustained in consequence of the war. I have not sufficient estate left fully to exercise my Children in this respect, but in order to do justice among them, as nearly as possible in the disposition of the estate, I still have; I direct that any Child to whom I may have made an advancement, if then a ~~free~~ Child living at my death, (if then a ~~free~~ ^{such} Child then the Child to whom I have made the smallest advancement ~~shall~~ first receive out of my estate, a sufficient sum of money, to bring such Child up even with the Child to whom the lowest advancement in case such Child be wholly unadvanced otherwise, with the Child to whom the next lowest advancement has been made, that then these two shall each receive a sufficient sum of money to bring them up even with the Child next lowest. that then these three shall be brought up

and with the ^{most} limit, and so on, equally in
 forward, until my whole estate shall be
 disposed of, In carrying this provision into
 effect, it will be necessary to ascertain
 certainly the amount of advancement made
 to each child, and in estimating advan-
 cements made to my married daughter
 charges which may be found upon
 my bond against them or against their
 husbands or against them and their
 husbands jointly, shall be considered in
 each case, as advancements to them
 respectively, and the issue of any child
 who may be now dead, or ^{who} may die
 hereafter in my lifetime shall be
 charged with advancements made to
 parent or parents, and shall per-
 represent its parent and be entitled
 to whatever benefits, its parent or parents
 be entitled to under the clause of my will
 if living at my death. But the pro-
 visions of this clause are subject, to and
 to the payment of all my just debts.
 - I have. The provisions of the last preceding clause
 are based upon the calculation that I shall
 not have sufficient estate, after paying
 my debts, to make all my children equal
 should this however, contrary to my expec-
 tation, turn out otherwise, then I direct
 that all shall first be made equal, and
 amounts be charged to them in cash
 according to the provisions of said clause
 the issue of any dead child, standing
 each case, and the share of its parent
 and the surplus if any, shall be
 divided equally among them, the issue

any, of any child then dead, taking the share, to which its parent would have been entitled if living.

I therefore direct that all my estate of every description, both real and personal, be sold by my executors upon such terms, and in such manner as they may deem best, unless my daughter Caroline should wish to purchase "Griffiths" in which case, she must be allowed to purchase in the manner herein before provided, should she however decline to purchase, Griffiths, also is included in the direction of this clause.

Lastly I appoint my sons Richard Hugh and John Robert Executors of this my will and I desire that they be permitted to qualify without giving security. In witness whereof, I have hereunto subscribed my name and affixed my seal this 15th day of May 1866.

Signed & sealed & published by John Bayly, as his last will & testament, in the presence of, and attested by us, as witnesses, in his presence and in the presence of each other,
J. P. Courtney
B. M. Wadsworth
W. B. Wright
I, John Bayly of the County of Kent & Diocese of Exeter the Executor of this my last will and testament as follows certify, It is my will and desire that my beloved wife Elizabeth shall have all the household furniture she may desire to buy & use, after we were married, and any other moveable furniture she may wish to have belonging

1891

And which I give them and their heirs
forever. It is my wish that my son
Michael Bayly shall take care
of my wife as long as she lives. In
witness whereof I have hereunto set
my hand and seal this 16th day of
June 1868

John Bayly (seal)
Codicil

I John Bayly of the County of King and
Queen do make this second Codicil to
the my last will & testament as followeth.
It is my will and desire that
in case my daughter Caroline C. Bayly
shall decline purchasing the lot of land
upon which she now resides called Gr
father, that she shall be allowed to re
main in possession of the same as
long as she lives by paying a moderate
yearly rent, and at her death the sa
lands shall be sold and the proceeds
divided as herein before directed, as
witness my hand and seal this 1st
day of March 1869.

John Bayly (seal)

In King and Queen County Court July 8th 1868
This writing purporting to be the last
will and testament of John Bayly of
with two Codicils annexed was pro
duced in Court, by John H. Bayly one of
the executors therein named, and so
well was proved by the oath of
Walter one of the subscribing execu
tors, and William P. Courtney one
of the subscribing witnesses and then

Having departed this life, B. M. Walker and J. M. C. Jones were sworn and severally deposed that they are well acquainted with the said Corbin's hand writing, and that they verily believe the said signature therein subscribed to be his proper handwriting, and there being no subscribing witnesses to the said Codicil B. M. Walker and J. M. C. Jones were sworn and severally deposed that they are well acquainted with the said Testator's hand writing and verily believe the said writing and the name therein subscribed, to be wholly written by the Testator's own hand, and that upon the said writings and admissions to be recorded as the true last will and testament of the said John Bayly deceased, and on motion of the said John A. Bayly the surviving executor therein named who made oath therein, entered into and offered up and in the presence of two thousand dollars without security. (The Testator having required in his said Will that no security should be required of his said executor) Condition according to law, a certificate is granted him for obtaining a Probate of the said Will as aforesaid.

Teste

B. F. Tangleor Clerk

Truly Recorded

Teste

B. F. Tangleor Clerk