

(18)

Sixty and Two and one half years old. I now end my hand  
this 14<sup>th</sup> day of May 1863.

John H. Walker.

In a Court held for trying <sup>for</sup> Treason (Count at Stoocawee on the 3<sup>rd</sup> day of February 1863) this Writ is presenting, to be the last will and testament of John H. Walker deceased was offered for proof, another being introduced to the effect that the said Walker contended Benjamin H. Day and James H. Coffey <sup>were</sup> generally disposed that they were well acquainted with the Rebels & should continue, and <sup>they</sup> only believe that the (and contending at the same time subscribed were wholly to the effect that the Rebels were to have a chance upon the said country to expand to the sea and as the time had come and) summing up the said plan H. Walker died.

Testimony of the above signed H. Walker Esq. affec  
July 20<sup>th</sup> 1863.

In the name of God amen. I John H. Walker of New York  
hereby make and publish this my last will and  
testament as follows to wit.

I implore God that my soul may hereafter remain  
in hell because such a portion of the family graveyard or burying  
ground where my father's family are buried, as she may  
think proper enclosed with an iron railing or palisade  
(and that she shall have suitable Headstones placed over  
graves of my soon immediate family (and pay the whole  
expense out of my estate).

Item. I give and bequeath to my daughter <sup>and</sup> wife <sup>and</sup> to my  
Sonora the bureau which they have already (and) to my  
daughter Antoinette one of two other bureaus which I may  
leave at my death (and) leaving already given to my daughter  
Sonora a bed and furniture. I give and bequeath to each  
of my other children a bed and furniture of equal value and  
that which I have already given to my said daughter  
(Sonora) and which she has in possession

7 I give and bequeath to my son Thomas Weston my gold Silver  
Watches and all that appertains thereto and I give and bequeath to my  
( said son the sum of Twenty five hundred dollars as an extra legacy  
for the purpose of educating him.

I give and bequeath to my daughter Antonelle the sum of  
Five hundred dollars as an extra legacy for the purpose of  
educating her.

I give and bequeath to my beloved wife Joanna and her  
heirs and assigns forever Two hundred and twenty five acres of my  
land (the land called the Hartland tract to be included in it)  
and to be cut off by a line to commence on the road near Henry's  
Summer House and run straight to some point on the line  
between my lands and the Thornebury tract, so as to cut off the two  
hundred and twenty five acres next to Doctor Henry's land: and  
I also give and bequeath to her and her heirs and assigns forever  
the following slaves to wit Sam a mulatto man, and his wife  
Laura and her two children Alice and Buck and their future  
increase, I also intend to my said wife my Homestead tract of land  
called Woodville (that is) the whole of the tract except what  
will be included in the said two hundred and twenty five acres  
and ten acres of my land called Blackfords to be cut off next  
to Edmund P. Watkins (and to include his mill banks which  
are known upon it until my son Thomas Weston attains the  
age of twenty one years provided he shall so long remain my  
widow: and when my said son shall attain the age of  
twenty one years of age my said wife shall then still remain my  
widow I desire that then my said Woodville tract shall be  
divided and the sum made of her and shall be cut off with the  
buildings and the value of the said ten acres of Blackfords  
added thereto, as would be equal in value including the buildings  
soone thereafter of the Woodville tract and otherwise leaving  
Blackfords. This part to be cut off with the buildings as  
aforesaid and the said ten acres of Blackfords I find to my  
( said wife during her natural life, provided she shall so long  
continue to be my widow, and I desire that the valuation  
and division of the lands shall be made by three disinterested and

completely free of the same, or such manumission. I also leave to my said wife during her natural life, ten of my other slaves which she may choose for herself, but they must consist of such women, boys & girls & slaves during her lifetime, my carriage and horses an carriage horses and two other horses which she may select out of such as I may leave at my death, and I leave her all liberty to take and keep during her life time such and so many of my stocks of cattle sheep and hogs, household and kitchen furniture, plantation tools & utensils of every description including machinery boats and other vehicles as she may desire but so as not to interfere with my legacy to my children. I leave her also a double gig and harness or a buggy and harness if I should leave such at my death and direct that at the death of my said wife she shall not be accounted for any of the perishable estate left her as aforesaid of which may have been consumed or destroyed by using it.

Item I give and devise to my son Thomas Newton my homestead & personal appurtenances, called Woodville and the two acres of Shackettford directed to be cut off from the tract as aforesaid being the same lands which I have left to my wife as aforesaid but he is not to be entitled to the possession of any part of it until he attains twenty one years of age, unless my wife should die before that time. If she should either die or marry before he attains that age, then he is to be immediately entitled to the possession of the whole, but if when he attains the age of twenty one years, my wife shall still continue to be my widow then the said lands shall be divided as already directed as to quantity, and wife one third thereof in value including the buildings and the two acres of Shackettford, and my said wife shall then be entitled to the <sup>singular</sup> possession of the other two thirds, or the residue of the same. And should the death of my said wife, prior to her marriage, or should she marry after my said son attains twenty one years of age, then he shall be entitled to the possession of the whole. But I do nevertheless direct that under all such circumstances my long daughter <sup>singular</sup> Estelle and Anna shall have the right and privilege of living in my mansion house as their home and of keeping a servile apprentices

upon them so long as they may remain unmarried, without being chargeable  
with any rent or other consideration for the use of such part of the house  
as they may occupy, (and I direct also that the victualls necessary for  
them shall remain in their possession if they were a part  
of the household.)

Item. I give to each of my two daughters Cecilia, Anna and  
Elizabeth, the sum of five thousand dollars, to be used as a  
trust fund to be laid out and invested by my Executor in the purchase  
of a farm with good improvements for each of them, the farms to  
be assessed by the value of five thousand dollars each as can  
conveniently be procured and proper titles to be obtained for them  
by the former or either of them should either of them die first.  
The said sum of five thousand dollars shall be added to the residue of the estate  
in each case may be invested in the purchase of other lands  
(provided it can be conveniently done) otherwise  
such funds may be lent at interest for the benefit of my said  
daughters respectively, until other additional purchases  
can be made, or if said daughters in the mean time to have the  
use of the interest.

Item. I desire and direct that my Executor sell off the remainder  
of my personal estate by sale such as he may deem fit, and to invest  
the same in land such as he may deem fit to keep herself and his  
heirs in good liberty, food, and I direct that out of the proceeds of  
sales of the said remainder of personal estate in such other estates  
as shall then be directed to be sold, and out of the money (and debts)  
due to me which I may leave at my death, I do give and direct  
several sums of five thousand dollars for each of my daughters  
(and the two legacies of twenty five thousand dollars for the education  
of my daughter Elizabeth, and as to all the residue of the funds to be derived from  
the said sales of property, and from the money (and debts) due to me which I may leave at my death, I direct (and direct  
that my said Executor shall lend out the same on interest in  
safe houses and collect the interest according thereto as promptly  
and regularly as she may find convenient. Some annually of the  
same and divide such interest equally between herself (and my four

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within each of them taking one of the parts of an interest  
so long as my said wife may live (and) at the death of my  
said wife if I then (and) then shall the principal of the  
same residue shall be equally divided among my  
four children.

Item I do (and) direct that my Executing Shew shall  
report the best terms she can obtain my tract of land and  
brick kiln & scarp the same to be cut off or removed  
from my Brimington lot and my lot of two lots at Wockerton  
one of them to let on which James Cartwright formerly lived  
and the other the lot on which there is a tailors shop, also to  
remove in part of James De Clayton in the land allotted  
to Mrs Elizabeth Buller for her dinner in the (and) sum of her former  
husband Peter Clayton died and to have a reversionary interest  
I purchased from Richard Langford.

Item I do (and) direct that my slaves except so far  
as I have otherwise directed (and) regard to a part of them, shall  
be equally divided (and) among my four children (and) among  
my slaves I mean to include a girl named Betsy whom  
I have heretofore lent to my daughter Rosanna (and) whom  
I wish to be returned to her with her increase who by this  
with the rest of my slaves, and at the death of my wife I  
direct that the few slaves I have heretofore lent to her  
together with their increase (and) the personal estate  
which I have heretofore lent to her (and) which may not be  
consumed or destroyed in the use of it shall be equally  
divided among my four children.

Item As to all the Estates of whatever description  
which I have heretofore divided or bequeathed to my daughter  
I do (and) direct that they shall not be entailed to  
any more than three and one interest (and) half  
of the same during their respective lives (and) at the death  
of my said daughters respectively of they shall leave up  
their respective shares and portions of my estate which  
divided to them, shall go (and) be equally divided among  
their respective heirs and will come of record if pr-

being left by one daughter, if one or more of such wives die before marriage and before attaining twenty one years of age, the share or shares of such wife or wives so dying, shall go to the survivors of such wife in such manner that of them should be but one of such wife left, that wife shall take the whole share or portion of the deceased parent; and if all the wives left by either of my daughters should die under twenty one years of age ~~and~~ before marriage, or in case any of my daughters die without leaving issue, in such case, the whole share or portion of such daughter or daughters shall return to my estate ~~and~~ be divided among my surviving descendants in such manner that each of my son children who may be still living shall take one full share, and the issue of any ~~dead~~ child or children respectively shall together take one full share. And in regard to my son Thomas Newton I desire and direct that if he should die under twenty one years of age ~~and~~ without issue in such case all the Estate which I have herein devised and bequeathed to him shall go to my surviving children (and the wife of any that may die before him) the surviving children taking full shares each, and the issue of any that may be dead taking together a full share, to be divided among them. But I desire that nothing herein shall be considered at all affecting the last clause of this Will wherein I have directed the enclosure of the grave yard.

Lastly I appoint my beloved wife Joanna executrix of this my last Will & Testament and guardian of my two youngest children Antoinette & Thomas Newton and having full confidence in her prudence discretion I desire that no security may be required of her before Court either as Executrix or as Guardian.

In witness whereof I have hereunto subscribed my name (under my seal) this 26<sup>th</sup> day of January 1850

Thomas Walker <sup>Seal</sup>  
Signed sealed published and declared by Thomas Walker  
as his last Will & Testament in presence of us ~~and~~ by us  
Subscribed in his presence and by his request.  
(The words "Signed sealed" on first page, "the" and seal of will

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on (2<sup>nd</sup>) page to on (3) page acknowledged before signing  
John Dulal  
Wm. P. Courtney  
James Smith

11/3 After the foregoing will was completed the words  
"or in case any of my daughters die without leaving issue"  
were interlined on the 8<sup>th</sup> page (and then the will was  
acknowledged and published by Dulal) and so now again  
substantiated by us in his presence (and at his request)

John Dulal

Wm. P. Courtney

James Smith

Will to the foregoing Will & Testament

I do not expect during the remainder of my year in  
which my death may take place, the arrangements of my  
family shall continue as I may leave them (and all the property  
so supported out of the estate left me (and of this year and  
then I give and bequeath to my beloved wife, out of my  
estate One hundred barrels of Corn (and twenty five bushels  
of wheat and two thousand pounds of Pork (and as much  
Pudding and provisions of every description as she may think  
necessary for her for the coming year (and if my wife should  
die at a period of less than before the time of issuing this  
I direct that a copy of which be soon sent by post to the other  
executor of my estate for the benefit of my wife.

Also I give and bequeath to my son Thomas Walker  
my Scouting and books case. Without my hands and seal this 20  
day of January 1858. I request my two friends Samuel P. Rydell  
J. D. H. Bayly to give their aid in advising and directing  
about the education of my younger children.

Wm. P. Courtney  
John Dulal

Wm. P. Courtney

James Smith

Will to the last Will and Testament of Thomas Walker.

I Thomas Walker having by my will devised

that my funds & laborious derived from debts due to me by friends  
the value of property shall be applied and disposed in certain  
ways herein mentioned but having just & honest intention therein  
the stocks which belong to me and apprehending that possibly  
there might be doubt whether stocks are intended to be included  
(and considered as debts due to me) I do therefore hereby declare  
it to be my meaning (and intention) that all stocks held & there be in  
any public or incorporated company which I now own or may  
own at the time of my death (and all dividends due or to become due  
upon them) are to be considered as included and to go to add to  
my personal estate of my debts due to me and the legatees to be connected  
with those debts and I direct further that if I should by any  
cause any other estate of my debt or discrepancy not connected  
with the provisions of my said will, all such assets shall go in  
the same way, in every respect as I have provided in regard  
to all said debts and other funds.

Witness my hand and seal this 29<sup>th</sup> day of January 1850

Thomas Walker *(Signature)*

The Testator Thomas Walker being very feeble and unable  
to write his own name conveniently, his name was subscribed  
unto by Thomas A. Wright by his direction and in his presence  
and the seal and signature were attached to it by him  
and he published this as a Codicil to and part of his last will  
(and testament) in presence of us and we subscribed our names  
in his presence and by his request.

A. Fletcher Boston

J. O. Tufts

Jesse Jones

At a court held by a Justice of the Peace  
at the courthouse being on Monday the 4<sup>th</sup> day of September  
1850. This last will and testament of Thomas Walker  
deceased and two Codicils thereto annexed were this day  
offered for proof by Joanna Walker deceased. Therein  
named and deceased will & test. No 13 and first Codicil were proved  
by the oaths of James Smith (and William P. Courtney) two of

(26) The witness there subscribed and witnessed  
and was proved by the out of Rockwell Brown  
and before witness there subscribed and also  
by the out of Thaddeus Eddy (and) is ordered  
to be recorded

Paid Robert Billings Jr  
Alphy Tice Bryant Taylor &c

At a sum paid for being ~~and~~ <sup>and</sup> witness at this town etc  
on Thursday the second day of February 1868

This copy of the above and original will  
of Thomas Walker ~~and~~ being lost by the burning  
of the books office of the library by the publick  
enemy and this copy being unauthenticated "Pur  
Robert Billings Jr Alphy Tice Bryant Taylor  
is on the motion of Joanna S Walker Executrix  
of Thomas Walker died admitted to record and  
Tice

Published Robert Billings Jr  
Tice

In the name of God Amen I William Pyres of  
King and Queen County do make and publish this my last  
will and testament as follows to wit

In spiritio I direct that all my justable be paid  
out of my estate.

Item Except so far as may be necessary for the payment  
of my debts I bind my beloved wife so long as she remains  
my widow ~~and~~ no longer all my estate both real and personal  
for her own support and also for the maintenance and education  
of my younger children and the support of those who may  
not be married during my lifetime, that is to say, three  
of my children who shall not have received a reasonable  
education during my lifetime, are to be reasonably educated  
by my wife after my death ~~and~~ all my daughters who shall  
have married during my lifetime are to be moderately well