

THE WILL OF SAMUEL GARLICK.

Communicated by Mrs. Elizabeth S. Courtney, Richmond, Va.

Be it remembered this 14th day of July, in the year of our Lord, 1768, that I, Samuel Garlick, of the County of King William, in the colony of Virginia, being in perfect health, and of sound sense and memory, but considering the uncertainty of human life, do make and ordain this, my last Will and Testament, and dispose of my worldly Estate (my just debts & funeral expenses being first paid off & discharged) in manner & form following, that is to say, Imprimis I give and devise to my son, John Garlick, one equal half or moiety of a certain tract of Land in Caroline County, whereof I am now seised, containing about 1,100 acres, more or less, which I purchased of William Carr & William Burdett, to him the said John Garlick & his heirs forever. I also give unto the said J. G. one equal half or moiety of a tract of Land in Louisa County, whereof I am now seised, containing by estimation 2,400 acres, more or less, which is commonly known by the name of Bucknut Tract, to him the said J. G. & his heirs forever. I give and devise to my son, Sam'l G., the other half or moiety of the said Tract of Land, called Buck Mountain, in Louisa County, to him, the said Sam'l G., & his heirs forever. I direct and appoint that my executrix and executors hereafter named may have full power and authority to work any number of my negroes they may judge necessary, on any parts of the lands aforesaid, for the benefit of my family, until my said sons, J. or S., shall respectively attain to lawful age. Item—I give and devise to my beloved wife, Mary G., during her natural life & widowhood, the tract of Land whereon I now live in King William County, in lieu and satisfaction of her dower in all my Lands, and after her death or upon her marriage, I give and devise the said Tract of Land to my son, Camm G., & to his heirs forever. Item—I devise & appoint that if either of my said 3 sons, J., S., or C., should die before they attain to lawful age & without issue lawfully be gotten, that the lands hereby given & devised to the child so dying as aforesaid, shall pass

and go to the survivors & their heirs, to be equally divided between them, or if either of my sons should die, leaving Issue, that such Issue be entitled to one moiety of the Land to such child as may die without Issue & under age, & farther I direct and appoint that in the division of the land aforesaid, my said son, John shall have his 1st choice of the several parts or equal moity of both tracts. Item—I give and devise to my said son, Camm Garlick, a Tract of Land on Hickory Creek, in Louisa County, containing about 400 acres, more or less, which I purchased of Lewis Davis. Item—Whereas my mother, Hannah Garlick, late of the City of Bristol, by her Will, devised and bequeathed the sum of 600 pounds Sterling money to be paid after my death to such of my children as I by Deed executed in my life time, or by my last Will & Testament should appoint and direct, And whereas my brother, Edward G., hath, by his letter to me, signified that he hath given security for the due and faithful payment of the aforesaid sum of money at the time of my death to be disposed of agreeable to the Will of my said mother, I do hereby direct, appoint, and devise, that the said sum of £600 sterling be equally divided among my four daughters, to-wit: Hannah, the wife of Robert Hill; Mary G., S. Garlick, and Elizabeth Garlick, and that my said brother, his Executors & Administrators, pay the aforesaid sum of money to them, or to their legal representatives, or if no such representatives, then to the survivor or survivors of them, the Interest of their respective parts, to be paid to them annually, until they shall be entitled to receive the same, to be applied to or for their better support, education & maintenance, & their several shares or proportions of the same to be paid immediately upon their marriage, or when they shall respectively attain to lawful age. Item—I hereby direct, appoint, devise, and bequeath that, after my decease, my Executrix & Executors hereafter named, shall keep my Estate together (after laying off the share hereafter mentioned, and devised to Hannah Hill) and that the profits thereof be applied to & for the support, Education and maintenance of my beloved wife and children, in the best manner that the said Estate will afford during my

wife's widowhood, and until my children respectively come of age, or marry, & I further will and direct that so soon as can be conveniently done after my death, one equal one-eighth part of my Estate, including what I have already given her, may be equally valued and appraised & allowed out of her share of my Estate, & that the residue be kept together in the manner and for the purpose aforesaid, until another of my children come of age or marry, or until my said Wife marry's again, and that then an equal part of the remaining Estate shall be allotted to such child & so on, until every child have had their respective share or part, leaving always one share for my said Wife, which share, after her death, I desire may be equally divided among all my children & their legal representatives, if any should be dead—but if my said wife should marry again, then I will & direct that my residuary Estate be equally divided immediately between my wife and all my children, my daughter, Hannah Hill, allowing her share for what she hath already received in the manner as before directed, & that my said wife shall hold her share during her natural life, and then to be equally divided among my children & their legal representatives as aforesaid, & that upon every child's coming of age, the said residuary estate, with the increase of the negroes, be valued & divided equally as it then shall be, whether increased or decreased in value, & it is further my will & desire that whatever Estate I may hereafter acquire or whatever Estate, real or personal I may receive, or which may be given or devised to me by any of my relations in England or by my Father-in-law, Mr. John Camm, or which shall come to me by the death of Dr. John Walker, by or under the will of Mrs. Alice Bullock, shall be taken and considered as a part of my residuary Estate & divided & disposed of in the same manner as before directed in regard to the residue of my Estate. Item—It is my will and desire that if any of my children aforesaid should die before they attain to lawful age or marry, that then the share or part of such child shall be equally divided among the survivors & the legal representatives of such of them as may be dead, & it is further my will & desire, that if I should

hereafter have any child born, that such child or children shall have the same benefit & advantage of maintenance & Education & be entitled to an equal share of my residuary Estate with my children before mentioned in the same manner as if such child or children were now alive & expressly mentioned in this my will. Lastly, I do hereby constitute & appoint my beloved wife, Mary Garlick, my Executrix, and my son-in-Law, Robert Hill, sons, J. & Sam'l (when they shall attain to lawful age for that purpose) to be Executors of this my Will & Testament.

In witness whereof I have hereunto set my hand & fixed my seal the day & yr. within written.

SAMUEL GARLICK,
(Seal.)

Signed, sealed, & published as the last will & Testament of the said Sam'l Garlick before us, who also signed the same as witnesses in his presence.

John Temple, Ann Pollard.

Joseph Temple.

At a court held for King Wm. Co., the 16th day of Oct., 1772, this will was presented in Court by Robert Hill & John Garlick, two of the Executors therein named, & the same being proved by the witnesses thereto, was Ordered to be Recorded, and on the motion of the Executors, they having entered into Bond with John Hill & Ed Hill, their Securitys and acknowledged the same, Certificate is granted therefor obtaining a probate thereof in due form.

By the Court,

Edmund Berkeley, Clk.
Test: Robert Pollard, C. C.