

Copy of
John Yeates
The Will of John Yeates,

Made September, 18, 1731.

In the name of God, Amen: I John Yeates in that part of the parish formerly called the Lower Parish of Nansemond County, being of good and perfect mind and memory, thanks be to God for the same, being desirous to settle things in order, do therefore hereby make this my last Will and Testament, in manner and form following, viz:

First and principally, I recommend my soul unto Almighty God, my Heavenly Father, hoping that I shall be saved by the precious death and merits of my blessed Savior, Jesus Christ, and my body to the earth, from whence it came, to be buried in a decent and Christian-like manner, at the discretion of my executor, hereafter named, And as touching such worldly estate wherewith it has pleased Almighty God to bestow on me in this life, I do hereby devise and dispose of in the following manner and form:

Item. I give and bequeath all my land or lands in Virginia, and all the rents and profits of the same, to the following use and uses: The rents thereof now by lease or otherwise may be converted hereafter to the use of a free school or schools, in the lower Parish of Nansemond, formerly so called; being the parish I have so long lived in, among such friendly neighbors; and that there may be two school-houses continued in the same places already fixed, which I have built, so that one school-house will be very convenient for the children of the one side of Bennett's Creek, and the other on the other side thereof, which will complete that part of the parish, as formerly I have done; and by that means, with God's blessing, the most or all of the children in these parts will be educated from the Glebe down to the extent of that part of the parish lying on the south side of Nansemond river, which formerly was called the Lower Parish of Nansemond.

Item. It is my will and desire that none of the tenants lie in debt for rent; for that will be a means to ruin the tenants and the schoolmaster also; but that the yearly rent be yearly paid in something or other to the value, to and for the schoolmaster's use or order.

Item. It is my will and desire that what swamp land is not leased out, or wherein I have reserved the privilege for timber or the like, may be for supply of vacant plantations of mine; also which are or may be in want hereafter of timber, fencing, or wood for building and improvements of the same.

Item. It is my will and desire, in granting leases, care may be taken that the tenants may not sell, give or waste, or destroy any timber or wood thereupon, otherwise than for the necessary use of building or repairing upon the same.

Item. What books I have or shall give for the use of the school or schools, may lie in the desk in the school-house under lock and key, in each school-house as I have provided, that when children have read these books they may be there for other children also.

Item. I give unto the Lower Parish Church, formerly so called, my great Bible, Bishop Hall's Works in large folio, and a Sermon Book, with Divine Contemplations, by the same author; also, Bishop Usher's book, in folio, entitled the "Sum and Substance of the Christian Religion" marked "I.Y." as a help to ministers there officiating, and

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Item. I give unto the said Parish Church, formerly so called, the pulpit cloth, the silver flagon, and silver chalice, and silver plate, &c., &c.

Item. I give unto my worthy friends the worshipful Court of Nansemond County, ten shillings, if they choose to accept of the same, to drink for my sake, to be paid by my executor forthwith.

Item. I give to my friends the Gentlemen of the Vestry, living this side of the river, a treat at my house, where I lived at, and my law books, as a help at their meetings.

Item. As to my relations beyond the sea, or elsewhere, not included in this my will, unto any or each of them or their heirs that may come or send for my estate or any part thereof, I gave unto each or any of them or their heirs, twelve pence apiece, with intent to cut them off; for I knew not which of them might have the best right thereunto, and it might make a disturbance amongst them.

Item. I give to my son-in-law Thomas Watson, my best suit of clothes and best hat.

Item. I give to my daughter-in-law Sarah Causten, my stone mortar and pestle, which her father brought out of England; my best brass kettle; my largest iron pot and potheeks, and my pewter flagon.

Item. I give unto my son-in-law, James Causten, my next best suit of clothes.

Item. I give unto my son-in-law, Joseph Wright my wearing cloak.

Item. I give unto Margaret Wright, daughter of Jo. Wright, a suit of my wife's best clothes; his sister, Mary Hayes, having had from me a suit of my wife's best clothes just before she went up in the weeds to live.

Item. I give unto Joseph Wright, Jr., son of Jo. Wright, my long table and greatest chest, and my writing desk.

Item. I give unto Mr. Nicholas Jones, minister, two cows--not old.

Item. I give unto Wm. Hoffler, a cow, a heifer, and a sow, besides what the law gives at freedom.

Item. I give unto Edwin Shea, a cow, a heifer, and a sow, besides what the law gives at freedom.

Item. I give unto my tenants now upon my land, half the debts due unto me; and, where there are cattle, the said tenant to have a cow besides. I give unto Temar Maning and unto her sister Ruth, the red cow that useth there.

Item. I give unto my negro, Bess, my linen spinning-wheel and the hackle.

Item. I give unto my negroes, Dick and Caesar, my old clothes and scar-se shirts.

Item, I give unto the Lower Parish, formerly so called, where I have lived so long ten pounds in cash, being in my desk, to buy books for the poorer sort of inhabitants in the same part of the parish, as the "Whole Duty of Man;" also for procuring Testaments, Psalms, Primers for my several schools before mentioned, and be immediately paid by my executor unto such trusty person as the gentlemen vestrymen living this side of Nansemond river think meet for procuring the same; and at the receipt of these books the said gentlemen are to distribute as they may think meet as aforesaid.

Item. It is my will and desire that my negroes be hired out in the said Lower Parish for convenience of paying the same; there being no occasion to sell any, my estate not being in debt; and there being females among them, may, with God's blessing, be a standing stock of them; and the hire of them, and the remainder part of my personal estate undisposed of, together with some of the rents of my lands aforesaid, may be employed in keeping the church on this side of the river in repair, as well as the yearly wages of a schoolmaster and schoolmasters in the limits aforesaid forever.

Item. It is my will and desire that these gentlemen vestrymen living this side of Nansemond river may have the management of the disposal of the rents yearly, and the hires of my negroes aforesaid forever. And inasmuch as I have lived the most of my days in the said parish and limits, and get my estate therein, therefore the inhabitants have the best right to the aforesaid uses, for I never was a gainer, or the Lower Parish, by Chuskatuck Parish, but the contrary.

It is my will and desire that after this my Will is proved in Court and recorded, it may also be recorded in the vestry book belonging to this side of the river as aforesaid, for readiness on occasion. I hope there will be no trouble about the same, as they will answer before God.

And lastly, I do hereby nominate and appoint Mr. John Moore my whole and sole executor of this my last Will and Testament, he paying my just debts and legacies in convenient time after my decease,

In testimony whereof I have hereunto set my hand and affixed my seal this 18th day of September, 1731.

JOHN YEATES, (SEAL)

Signed, sealed and delivered, as his last Will and Testament, in presence of us--

Rich'd Bond,

Antho'y White,

Thos. Hancock,

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Antho'y White,

Thos. Harbeck,

VIRGINIA:

In the Clerk's Office of Nansemond County Circuit Court, the 19th day of October 1918.

The foregoing Copy of Will of John Yeates was produced by Rev. E.P. Miner to the Clerk of said Court and on his application is recorded anew, the Will Book from which the same was copied having been destroyed by the burning of the Clerk's Office and the records.

Teste: G. E. Bunting, Clerk.

By, Ruby V. Benton, D.C.