

In the name of God amen I Sittlberry Mosby
of the County of Powhatan State of Virginia, do declare this
to be my last Will and testament in form and manner
following, vizt

1. The property which I have given to my children by my
first wife viz, Sarah Cannon, John Mosby, Sittlberry Mosby,
Mary Hagher, Wade Mosby, and Richard Mosby, I do
now confirm to them & their heirs forever.

2. ~~The~~ property which I have given unto my daughters
Betty Ann Carrington, Martha Nicholas, & Judith M.
Smith, I do now confirm to them and to their heirs
forever.

3. I give & bequeath unto my son Benjamin Mosby
his heirs forever, the land and plantation whereon I now
live called Font Well, purchased of Phillip Mayo, together
with all my slaves, stock, household & kitchen furniture
and plantation utensils thereto belonging.

4. In lieu of what I intended to give my son Jacob
Mosby sen^r, and in lieu of any claim which my said son
Jacob had against me or any person may pretend to
have ~~under~~ him against me or against my estate, for
a legacy or legacies left him by ^{my} son John Mosby sen^r.
I do give and bequeath unto my Grandson Jacob G. Mosby
son of my son Jacob, the sum of One thousand pounds current
money of Virginia, to be paid unto him when he arrives to
the age of twentyone years, or if my executors see cause they
may lay out the said money in lands for him, provided
however that he, my said Grandson Jacob G. Mosby shall
make relinquishment of all and every claim which he may
pretend to have against my estate on account of what I
intended to give my son Jacob, and of the legacy or legacies
left by my son John to son Jacob as aforesaid, and in
case he shall refuse to make such relinquishment when
he arrives to the age of twentyone years, then

2. I do properly Powhatan County, Wills 1806-1811 my daughters
Betty Ann Carrington, Martha Nicholas, & Judith M.
Smith, I do now conform to them and to their heirs
forever.

3. I give & bequeath unto my son Benjamin Mosby
his heirs forever, the land and plantation whereon I now
live, called Fort Bell, purchased of Phillip Mago, together
with all my slaves, stock household & kitchen furniture
and plantation utensils thereto belonging).

4. In lieu of what I intended to give my son Jacob
Mosby ^{du?}, and in lieu of any claim which my said son
Jacob had against me or any person may pretend to
have ~~under~~ him against me or against my estate, for
a legacy or legacies left him by ^{my} son John Mosby dec'd.
I do give and bequeath unto my Grandson Jacob G. Mosby
son of my son Jacob, the sum of One thousand pounds current
money of Virginia, to be paid unto him when he arrives to
the age of twentyone years, or if my executors see cause they
may lay out the said money in lands for him, provided
however that her my said Grandson Jacob G. Mosby shall
make relinquishment of all and every claim which he may
pretend to have against my estate on account of what I
intended to give my son Jacob, and of the legacy or legacies
left by my son John to son Jacob as aforesaid; and in
case he shall refuse to make such relinquishment when
he arrives to the age of twentyone years, then my executors are
hereby directed to withhold the said legacy herein devised to
him, and shall hold the same in their hands as a depositum
out of which they shall reimburse any one or more of my
children who may sustain any damages on consequence of
any such claim being made & maintained. Should any
surplus remain after such reimbursement, the same shall
remain as assets in my executors hands. It is my desire
however, that when my said Grandson Jacob G. Mosby arrives
to the age of fourteen years, that my executors shall appropria

the interest of one thousand pounds towards her support & education, until he arrives to the age of twenty one years.

5. Whenever my executors think best they shall sell my land in Buckingham County, together with all the personal estate thereto belonging, except the slaves, and reserving one hundred and fifty acres of said land which they shall lay off as they shall think proper so as to include the dwelling house, which land together with the following slaves included in a trust deed recorded in Powhatan Court viz. ^{my} Sarah, ^{my} Polly, Noley & their children, and one fourth of all my slaves belonging to my said plantation in Buckingham they shall hold in trust for the benefit of my daughter Narcissa Binford during her life, and at her death I give the said land & slaves to her children and their heirs forever, to be equally divided among them. It is to be observed that this provision hereby made is in lieu of that contained in the trust deed recorded in Powhatan Court. The money arising from the sale of land and other properties above mentioned together with all other moneys remaining in the hands of my executors after the payment of all just demands, paid to my estate, and the necessary provision made for the legacies mentioned in this will, I also the remaining three fourths of my slaves belonging to the said plantation as well as my other personal estate which I may have failed to mention I desire shall be equally divided between my son Benjamin & my daughters Martha & Nicholas, and Judith M. Smith, which I give to them and to their heirs forever. My executors are hereby empowered if they shall judge it necessary to make any sale or exchange of property which is left in trust for the benefit of my daughter Narcissa Binford.

and witness Joseph M. Smith & his wife Judith M. Smith

did in a trust deed recorded in the Probate Court by me, John
 Sarah, my wife, Wiley & their children, and one fourth
 of all my slaves belonging to my said plantation, in Buck-
 ingham, they shall hold in trust for the benefit of my
 daughter Narcissa Winford during her life, and at her
 death I give the said land & slaves to her children and
 their heirs forever, to be equally divided among them. It
 is to be observed that this provision hereby made is in
 lieu of that contained in the trust deed recorded in Probate
 Court. The money arising from the sale of land and other
 properties above mentioned together with all other moneys
 remaining in the hands of my executors after the payment
 of all just demands against my estate, and the necessary
 provision made for the legacies mentioned in this will, & also
 the remaining three fourths of my slaves belonging to the
 said plantation, as well as any other property whatsoever
 which I may have failed to mention I desire shall be
 equally divided between my son Benjamin Mosby & my
 daughters Martha & Nicholas, and Judith M. Smith, which
 I give to them and to their heirs forever. My executors
 are hereby empowered if they shall judge it necessary to
 make any sale or exchange of property which is left in trust
 for the benefit of my daughter Narcissa Winford.
 And whereas Joseph Michaux & his wife Judith & Michael
 formerly the wife of my son Jacob Mosby, have lately
 instituted a suit against me and my son Benjamin Mosby
 for certain property which they claim in the right of my
 son Jacob Mosby &c. which claim I declare to be alto-
 gether without foundation. Nevertheless should the said Joseph
 Michaux and Judith & Michael his wife succeed in said
 suit so far as to recover the tract of land called Tent-field
 on which I now live, or any part thereof, or any of the moneys
 or property thereupon, then in that case I do give & bequeath

to my son Benjamin Mosby, my above mentioned land and other property in Buckingham or so much thereof as may compensate him for the property so recovered by the said Joseph Michaux & Judith A. Michaux his wife by their said suit. In that case I do also hereby revoke so much of this will as concerns my Grandson Jacob G. Mosby and also all preceding dispositions of said Buckingham land and other property so far as they are inconsistent with this clause.

Lastly I do hereby appoint my son Benjamin Mosby son in law Josiah Smith Executors to this my last will and testament, revoking all other wills by me heretofore made: I do not require of my executors any security for the trusts herein reposed nor do I require any appraisement of my Estate. In witness whereof I have to this my last will and testament set my hand & affixed my seal this 6th day of January in the year of our Lord Christ, one thousand eight hundred and nine.

Signed, sealed & acknowledged
in the presence of

J. Mosby 

James Clarke

Richd W. Michaux

Isaac Owen

Elizabeth Smith

At a court held for Powhatan County the 15th day of March 1809. This last will and testament of Poltberry Mosby decd. was presented in court and proved by the oaths of Richard W. Michaux and Isaac Owen, two subscribing witnesses thereto, and thereupon ordered to be recorded. And on the motion of Benjamin Mosby and Josiah Smith, the executors named in the said will who made oath

Puckingham land with the property so far as they are inconsistent with this clause.

Lastly I do hereby appoint my son Benjamin Mosby
son in law Josiah Smith Executors to this my last Will
and testament revoking all other wills by me heretofore
made: I do not require of my executors any security for
the trusts herein imposed, nor do I require any appraisement
of my Estate. In witness whereof I have to this my last
Will and testament set my hand & affixed my seal this
6th day of January in the year of our Lord Christ, one
thousand eight hundred and nine.

Signed, sealed & acknowledged
in the presence of

I Mosby 

James Clarke

Rich^d W. Michaux

Isaac Owen

Elizabeth Smith

At a court held for Powhatan County the 15th day of
March 1809. This last will and testament of Littleberry
Mosby dec^d was presented in court and proved by the oaths
of Richard W. Michaux and Isaac Owen, two subscribing
witnesses thereto, and thereupon ordered to be recorded.
And on the motion of Benjamin Mosby and Josiah Smith,
the executors named in the said will, who made oath
thereto as the law directs, certificate is granted them for
obtaining probat thereof in due form. No bond or security
from the said executors, or appraisement, being required by
the testator.

Teste,

James Gindexter, Cpb.