

one hundred acres of Swamp Land situate in H's County aforesaid; and all the estate
Title Interest whereof or wherein is laid Ann Richardson her heirs Estate or inheritance in
possession reversion remainder or expectancy of all the right Title claim'd demands wsoever
her to said Ann Richardson of in and unto the premises and every or any part thereof to
have and to hold said Lands & all other her property so herin before mentioned and
intended to be hereby granted with the appurtenances thereto, to said Rodolphus Malbon
& Mary his wife their heirs and assigns for ever, and to said Ann Richardson for herself
her heirs Executors & Administrators Councill & grant to and with said Rodolphus
Malbon & Mary his wife their heirs & assigns that she hath given right & lawfull autho-
rity to grant and Convey the above laid Land & appurtenances unto said Rodolphus
Malbon & Mary his wife their heirs & assigns according to the purport & true meaning
hereof that it shall may be lawful to & for said Rodolphus Malbon & Mary his
wife their heirs & assigns at all times for ever hereafter peaceably quietly & lawfully to have hold
possess & enjoy the Land & all other the premises hereby granted with the appurtenances with
out any let but trouble or Interruption of her to said Ann Richardson her heirs or assigns
or any other person or persons wsoever, also that said Ann Richardson her heirs shall w^t
from time to time at all times hereafter during the space of five years upon reasonable
request & at the proper Costs & charges in the law of the said Rodolphus Malbon
their heirs & assigns to make & execute all such other further
act & acts Conveyances & assurances whatsoever needful or necessary for better Securing
the said lands & all the appurtenances to the said Rodolphus Malbon
Malbon & Mary his wife their heirs & assigns for ever as by their Council Learned
law shall be or sasonablye advised or required and to said Ann Richardson for herself
her heirs & said Land & all the appurtenances unto the said Rodolphus Malbon
Mary his wife their heirs & assigns against all and every person or persons whatsoever
other will warrant for ever offend In witness whereof the said Ann Richardson hath her unto
set her hand & seal the day of our first about written

mom. the words whereby his wife, &c. Several places were interlined before signing
by her self

Princ^e of Ann. At a Court held the 4. September 1728

Then the above & below was exhibited in

Rod. Malbon & being proved by oath

m^r. James Nimmo & Chas. Sayer witnesseth

motion of said malbon is recd to be Recorded

Ann Richardson seal

Malbon & Malbon
Know all men by these presents that we Rodolphus Malb.
Inhabit^r of the County of Prince of Ann for our selves our heirs & ha.
Look our quiet claim^d and do by these presents remise release
unto John Lovett his heirs & all actions & causes of action
Claims Controversies Due & Demands whatsoever fromt
to the day of the date hereof In witness whereof we have
and doalos this thirtieth Day of August 1728

and doalos this thirtieth Day of August 1728

Princ^e of Ann. At a Court held the 4. Septemb^r 1728

Then the above & below was acknowledged by

malbon & proved by oaths of Chas. Hen. m.

m^r. James Nimmo & Chas. Sayer att^t of wome

James Nimmo. on the motion of John Lovett is same is ordered to

Mary my wife
is discharged & for
ever quit claim
to bond Debts
origin^d of
unto John Lovett

John Malbon & seal
Limerick
John Malbon & seal

In the Name of God Amen I John Herbert of prin... inn Co^r by an Colon
of virginia being sick & weak in body but of sound mind & memory
thankes be to God herof & knowing the uncertainty this life of the certainty
of death do therefore make this my last will & Testam^t controvrecking to wa
inulng all former & other wills by me heretofore made. I do & give in this to be
my last will & Testament in manner & form following first I sign my name
to go that gaus it me & my body to the Earth from whence it is taken hoping
for a joyful resurrection at the last day through the mercies & satisfaction of
Jesus Christ my most blessed Saviour & dominie & touching that worldly Estat
which I hath pleasure almighty God to bestow upon me I give & devise to my son
Richard Herbert my plantation wheron he now liveth with half that tract of
land sayning which lyeth in Norfolk County to him & the heirs of his body lawfull
begotten forever. I primit^d give & bequeath unto my son Willoughby Herber
my plantation wheron I first & formerly lived in Norfolk County with the
one half of that tract of land sayning to the same to him & the heirs of his

202 body lawfully begotten but for want of such heirs to fall to my Son Peter Herbert his heirs: my desire is that if either of my Sons before mentioned shall have a desire to sell their Land I give them full power to sell the same to the other & no other wife and if they cannot agree as to the sale of the same I will direct my friends & next neighbors chosen by each party shall set the valuation of the same & then I give & beguath unto my Son Thomas Herbert my plantation which I now lie to him his heirs together with as much Land as may be necessary to be had & bounded across lying in Prince George County to him & his heirs forever Imprimis I give & beguath to my Son John Herbert all the remainder part of said Tract of land wheron I now lie to him his heirs or over my will & desire is that if either my Sons Thomas & John Herbert shall die without heir that he or she shall enjoy of the whole Tract (Item) I give & beguath unto my Son Willoughby Herbert my negro man called Bell to him his heirs forever Item I give & beguath unto my Son Peter Herbert my negro man called Grayson to him & his heirs for ever further my will & desire is that my Sons shall all bear full age at eighteen years old to receive their portions & boy or them soles as at their own disposal (Item) I give & beguath to my daughter Elizabeth Batcheler one feather bed what furniture belongs therunto (Item) I give & beguath unto my daughter Mary Suggs one feather bed two Cows & yearling all which she hath in posession Item my will & desire is that all the remainder of my Estate both personal & real wherein whose hands sooner after my just Debts paid shall be equally divided between my Grandwellbeloued wife Elizabeth Herbert & my Sons Thomas, John Willoughby & Peter Herbert & my daughters Dinah, Margaret, Violent & Ann Herbert but my desire is that if my wife should remain unmarried she shall have & keep to her self all this remaining part of my Estate which is to be divided until the youngest of them which shall end shall come to age but if she shall marry then their shall be an equal division made amongst them as aforesaid my wife keeping her own company & her children & my Son Thomas to take his own part of the other his young brothers and sister & all they come I give & appoint my wife Elizabeth Herbert and my Son Thomas as sole executors of this my last will & Testament I witness whereof I have hereunto set my hand & seal the twenty fourth day of April 1728

ign'd, sealed & published
before me this 27th day of
October 1728
in the presence of
C. H. Henry Jr.
Wm. Cockroft
Princ:ann: At a Court held 27th August 1728
Then the within last will of Mr. Herbert & his wife
was presented in Court by Eli: Herbert his
law who made oath thereto & being proved by the
oaths of William Corboll & Henry Philpot witness
thereto is admitted to Record

In the Name of God Amen I Elizabeth Smith of the County of Prince George in Colony of Virginia being of sound mind & memory but failing to mind of uncertainty do make and ordain this to be my last will & Testament Imprimis I give & set into the hands of almighty God my Creator hoping through my Lord & Saviour to Receive full pardon & remission of all my sins to be buried in a Christian Manner there to rest in hope of the resurrection Day farre what worldly goods the Lord of his infinite Mercies on me shall give disposess of in manner following Item I give unto my daughter Martha Smith my young bay mare also I give unto my daughter Martha Smith my young bay mare also I give unto my son George Smith one young bay horse Item I give unto my son William Smith one feather bed & furniture Item I give unto my son William Smith one feather bed & furniture Item I give unto my son George Smith one small bed also I give & beguath unto my son George Smith one new chest also two small boxes also I give & beguath unto my son George Smith my black mast. Item I give unto my son John Smith one Cupboard also I give unto my son John Smith one feather bed also I give & beguath unto my son John Smith one feather bed also I give unto my daughter Mary Smith one new feather bed with curtains & window shades also small dishes also one box iron also my will additio Doreas is half my stock of hogs & cattle & sheep all the remainder of my Estate that I have not given above may be equally divided amongst them all Item I make & ordain in my daughter Martha Smith to be my true Executrix to see my will & Testament performed Inventing whereof these herunto set my hand & seal the 11 day of June Anno 1728

and Published & Interred
the places of us
near D. Broughton
The. Cockroft
Princ:ann: At a Court held 2d October 1728
Then the within last will of Mrs. Smith was
presented in Court by her law who made oath of Testimony
whereof James being proved by the oaths of Doreas
Broughton & Thomas Cockroft witness thereto
is admitted to Record