

In the name of God Amen I John Waller of St. Georges Parish in
The County of Staffordham and Colony of Virginia being in health of perfect mind
And memory Thanks be given unto Almighty God but knowing that all men are
Mortal do make constitute & Appoint this my last Will and Testament
In manner and form following First I Give my soul into the hands of Almighty
God who gave it me hoping through the merits & mediation of my Dear
Saviour Jesus Christ to receive forgiveness of my sins of the same Again at
The last day of General Resurrection and my Body I Commend to the
Earth to be decently buried at the Discretion of my Executors hereafter mentioned
And as for my worldly Estate wherewith it hath pleased God to Bless
Me withall I Give and bequeath the same in manner and form as followeth
After my funeral Charges and Just debts are paid & satisfied I Give and
Bequeath unto my son John Waller to him and his heirs forever five hundred
Acres of Land lying in the parish of St. Johns in the County of King William
On Mattapony river or be there more or less as is divided from the Land I
Sold my son Benjamin by a line Beginning at a white Oak in the fork of a
Swamp in the line And running thence North fifty degrees East to Mat-
tapony River which was run and laid off by son William Waller between
My said two sons John and Benjamin and lies on the upper and westward
side of their line

My said two sons John and Benjamin and lies on the upper and westward
side of the line including the Plantation I did live and where the Inspection
Houses now are, with all the Improvements thereon. Item I give and bequeath
unto my said son John Waller to him and his heirs forever my tract of Land
Of four hundred Acres in Spotsylvania County which I took up and was
Surveyed by Mr. Nathaniel Blaybourn Surveyor and patented in my own
Name which bears date the 25. day of September 1730 three hundred Acres
Of which he hath my bond already to make it over to him

Item I likewise give and bequeath unto my said son John Waller and his
Heirs and Assigns forever my negro man named Scipio and his Children
Named Jenny, Rachel, Billy & Winder and my negro Peter that was
Born of Sue and my negro Child named Samney that was born of Jenny
And all their Increase my Silver watch & Silver Tobacco Stopper

2^d. Item I give and bequeath unto my Grandson Pomfret Waller my negro
Girle named Unity that was born of Nell and all Increase to him and his
Heirs forever

3^d. Item I give and bequeath unto my son Thomas Waller to him and his
Forever, all that part of my Tract of Land as I bought of Maj^r William Todd
And patented in my own name that lies on the north side of Robinsons run

unto my said son John Waller to him and his heirs forever my tract of Land
Of four hundred acres in Spotsylvania County which I took up and was
Surveyed by Mr. Nathaniel Blaybourn Surveyor and patented in my own
Name which bears date the 25th day of September 1730 three hundred acres
Of which he hath my bond already to make it over to him

Item Likewise give and bequeath unto my said son John Waller and his
Heirs and Assigns forever my negro man named Scipio and his children
Named Jenny, Rachel, Billy & Winder and my negro Peter that was
Born of Sue and my negro child named Sweeney that was born of Jenny
And all their Increase my Silver watch & Silver Tobacco Stopper

2^d. Item I give and bequeath unto my Grandson Pomfret Waller my negro
Girle named Uncty that was born of Nell and all Increase to him and his
Heirs forever

3^d. Item I give and bequeath unto my son Thomas Waller to him and ^{his} heirs
Forever, all that part of my Tract of Land as I bought of Maj^r William Todd
And patented in my own name that lies on the north side of Robinsons run
In Spotsylvania County as far as the north fork of the said run being
Estimation about eight hundred acres or be there more or less in the said

Bounds Including my Plantation where my negro Cyrus now lives & is my Overseer
And the Improvements thereon and the Old School house after the Decease of my
Wife. The said Land is Adjeyning to the Lands of Mr. Zachary Lewis Maj. Rice
Curtis now Mr. Wape, William Bradburn Mt. Hubblefield, And my home
Plantation

Item I Give and bequeath unto my said Son Thomas Waller his heirs & assigns
Forever my negro man named Adam & my negro woman named Sue Dafney
Nan and all their Increase that shall be born hereafter and after the Decease
Of my of my beloved wife I Give him my negro man named Lymhouse and all
my house hold stuff that I have left below in his possession in Thing William
County Likewise what hoggs and cattle I have there

4. Item I Give and bequeath unto my Grandson John Waller Son of Thomas Waller
my negro boy called Little London that was born of Sue

5. Item I Give & bequeath unto my Granddaughter Dorothy Quarles Daughter
Of my Thomas Waller my negro Boy called George born of Angelo X^o 22 1757

6. I Give and bequeath unto my son William Waller to him & his heirs for ever
My Tract of Land of four hundred Acres as Hook up and Patented in my Own
Name, which bears date the first day of February 1726 that lies now in Spotsylvania
County, but formerly in Thing William County, Adjeyning to the lands Mr.
Zachary Lewis my home plantation, except nineteen Acres part of which I sold
To Mr. Zachary Lewis Out of it Item I Give and bequeath unto my said son William
Waller to him and his heirs for ever after the Decease of my beloved wife) whom I
will and have

Would not have Disturbed all that part of my Tract of Land as I bought of Maj.
William Todd in Spotsylvania County whereon I now live & Obtained a patent
For in my Own name that bears date the twenty fifth day of April 1726 that lies on
The South Side of Robinsons Run Adjoining to the lands of Mr. Tachary Lewis and
The afore mentioned four hundred Acres, Mr. Ledemans and the land I have
Given to my son Thomas Waller in this my will and to the north fork of the said Robinsons
Run, and all the Improvements thereon I Give and bequeath unto my said
Son William Waller and his heirs forever after the Decease of my beloved wife, my
Tract of Land of five hundred Acres as I bought of Capt. Philip Todd in
Spotsylvania County which I Patented in my Own name that bears date the
30. day of June 1726 Adjoining to the land Given to Mr. Ledemans Mr. Shackleford
And the Afore mentioned tract of four hundred Acres I Give and bequeath
Unto my said son William Waller to him and his heirs forever & assigns my
Negro man named Seamus & my negro Woman named Angelo & Jenny and
Their Increase I likewise Give my said son William Waller (after the Decease
Of my beloved wife) my negro man named Dick and George to him his heirs
and assigns forever likewise my Large Sactore that stands in the new room
I Give and bequeath unto my Grandson William Waller son of William
Waller my negro boy called Bobb that was born of Angelo
I Give and bequeath unto my Grandson John Waller son of William
Waller my negro boy called Bristol that was born of Angelo

10.
9. Item I give and bequeath unto my son Benjamin Waller to him and
his heirs forever (after the Decease of my beloved wife) my negro man
called Cyrus & Frank his wife & their children named Little Esther
Michael, Gay Sarah, and Little Cyrus Likewise my Violin Flute
And Hoiboy & reading Glaps ~ ~ ~ ~ ~

10.
10. Item I give and bequeath unto my son Edmund Waller to him and his heirs
forever my negro man named Joe my negro woman named Phillis and
all her Increase and my negro boy named Daniel as he is in possession of
already I Likewise Order and my Desire is that he have the use and
Benefit during his natural Life (after the decease of my beloved wife)
Of my negro man named London and Kate his wife, and my negro boy
named Mover Likewise Give unto my said son Edmund my suit of horse
Arms and furniture my Silver Case pistols and my Silver hilted sword and
Opowder Flask ~ ~ ~ ~ ~

11.
11. Item I give and bequeath unto Grandson John Waller son of Edmund
Waller to him, his heirs & forever (after the Decease of my beloved wife) and
and his father my son Edmund, my negro boys James and Moses and my
Negro Girl named Abba that was born of Sobell ~ ~ ~ ~ ~

12.
12. Item I give and bequeath unto my Grandson Benjamin Waller son of Edmund
Waller to him and his heirs & forever (after the Death of my beloved wife)
And his father my son Edmund, my negro man named Joe

And his father my son Edmund) my negro man named London and my
Negro boy named Jeffrey bar of Angelo
13th Item I give and bequeath unto my Grandson William Edmund Waller
Son of Edmund Waller to him and his heirs for ever (after the Decease of
my beloved wife & his father my son Edmund) my negro boy named
Hanibal that was born of Thate

14th Item I give and bequeath unto my Grand Daughter Mary Waller
Daughter of my son Edmund Waller to she and her heirs for ever (after
the Decease of my beloved wife, and her father Edmund Waller) my negro
Woman named Thate and all her Increase that shall be born after the
Date of this my will except her son named Little Hanibal

15th I give and bequeath unto my Daughter Mary (now the wife of Mr.
Tachary Lewis the use of my negro man named Hanibal and Prose his
Wife During her Natural life (after the Death of my beloved wife) and
when Please god She dies I do by this my will give and confirm unto him
She or them and their Heirs for Ever to whom of her Children she shall
give and Dispose of them unto

16th Item I give and bequeath unto my Grand Daughter Betty Lewis to she
And her heirs for ever (after the Decease of my beloved wife) my negro
Woman named Nell & all her Increase that shall be born after the
Date of this my will

17. Item I Give and bequeath unto my Grand Daughter Lucy Lewis to she
And her heirs for ever (after the Decease of my beloved wife) my negro
Woman named Judy & all her Increase that shall be born after the date
Of this my will, she being the Daughter and born of Frank

18. Item I Give and bequeath unto my Grand Daughter Dorothy Lewis
To she and her heirs for ever (after the Decease of my beloved wife) my
Negro woman named Isbell & all her Increase that shall be born after
The Date of this my will except her boy Daniel

19. Item I Give and bequeath unto my Grandson Walter Lewis to him and
His heirs forever my Negro Boy named Joe, after the Decease of my beloved
wife

20. Item I Give and bequeath unto my Great Grandson John Tashary
Lewis my Negro Girl named little Moll that was born of Kate to him
And his heirs for ever and all her Increase

21. Item I Give and bequeath unto my Grandson John Lewis my Sinctore that
I left at Mr. Margaret Gordons in the room I used lie in when there

22. Item I Give and bequeath unto all the rest of my Grand Children except my
Grand Daughter Mary Merrinether & except those afore mentioned as I
Have Given young negroes a peice in this my will Twenty Shillings to be paid
Them by my Executors in six months after my Decease

23. Item I Give and bequeath unto my Grand Daughter Mary Merrinether & except those afore mentioned as I
Have Given young negroes a peice in this my will Twenty Shillings to be paid
Them by my Executors in six months after my Decease

23 Here I give and bequeath unto my beloved wife Dorothy to she and her heirs
Forever my negro woman named Laster & Moll likewise the use of and benefit
During her Natural Life the better to Support and maintain her as long as
She remains my Widow, the use of my negro man Haribal & Proj^r his wife
Olym and Frank his wife, my negro woman Named Isbell and Nell
And my Negro men named Dick Lyn house & George and James and
my boys Roger and Joe, ~~and~~ and not to be removed or taken away
From the Plantations as they now live on and ~~wake~~ my wife to have the benefit
Of their labour except the Orders otherwise I likewise give unto my said beloved
Wife my Shays and Harness, & the Choise of two houses I have likewise
Her side Saddle & furniture six Silver Spoons my Tea Card and Tea Spoon
my Chest of Drawers and looking glass that stands in the closet and
The Choise of two of my best feather beds and furniture six leather Chairs
Closet Rod, the Cold Mill and her Chest, trunk and boxes as she used to
Keep her cloths in and the Choise of One of the Oval Tables

Here I give and bequeath unto my son William Waller & my Grandson John
Waller sons of Edmund Waller to them and their heirs forever all the Residue
Of my Tract of One thousand Acres of Land that I took up & Patented in my
Son John Wallers name bearing Date the 25th day of September 1728 and
By him conveyed to me to be Equally Divided between them except

What I have sold to John Truste M^r Zachary Lewis or sold or gave of
It to my son William I writing And all the rest of my Estate that is not
Particularly here Given and Disposed of by this my Will or as I have formerly
Given my Children & possessed them thereof be it of what Kind or quality
Whatsoever or whereever it lies or shall hereafter ^{be it of what Kind or quality} be equally
Beloved Wife & Children John Thomas William Benjamin Edmund
And my Daughter Mary now the wife of M^r Zachary Lewis and of this
My last Will and Testament I make constitute & Appoint my beloved
Wife And sons John Waller, Thomas Waller & William Waller, my
Executrix and Executors & do Appoint make and devise my son Benjamin
Waller my Executor in trust to see this my Will and Testament performed
And executed According to the true Intent And meaning And I do hereby
Revoke And Disannull all former Wills by me any wise made before this
Ratifying and Confirming this and none Other to be my last Will and
Testament, In Witness whereof I have hereunto set my hand and
Seal this Second day of August One Thousand Seven hundred and fifty three
In the twenty Sixth year of the Reign of our Sovereign Lord George the
Second by the Grace of God King of Great Britain France and Ireland

Witnessed by Me in presence of J. L. Waller

signed Sealed & Acknowledged by
John Waller this to be his last will
and Testament In witness whereof
Wee have hereunto sett our hands

John Waller
August 2^d 1753

John Temple

Thomas Collins

Lam Chew

Henry Beverley

On further Consideration I now make this Codicil annexed to my
Will Declaring it to be a part and member thereof & do hereby Revoke
That bequest in my said Will whereby I gave unto my son
William Waller my Grandson John Waller Son of Edmund Waller
And to their Heirs for ever all the residue of my Estate & do hereby

And Testament In witness whereof
Wee have hereunto sett our hands

John Temple

Thomas Collins

Lark Chew

Henry Beverley

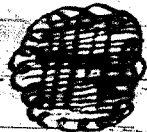


On further consideration I now make this Ordinal annexed to my
Will Declaring it to be a part and member thereof by do hereby Revoke
That Clause or bequest in my said Will whereby I gave unto my son
William Waller my Grandson John Waller son of Edmund Waller
And to their Heirs for ever all the residue of my Trust of One Thousand

Quince of Land that I took up and patented in my son John Wallers
Name, bearing Date of 28th day of Septemb^r 1728 & by him conveyed to
me to be Equally Divided between except what I have sold to John Twite
Mr. Tachery Lewis or sold or gave of it to my son William if writing & I do
Give and bequeath the said Land to my Grandson Leonard James Mowring
Waller son of Edmund Waller & to his heirs forever as
In witness that I do declare & above Codicil to be a part And member
Of my aforesaid Will I have hereunto Set my hand And Seal this 15th day of
August 1754

Memorandum interlined before
Signed (and) my
Signed Sealed Published
& Declared in Presence of

John Minor
his
James F. James
mark

John Waller 

At a Court held for Spotsylvania County On Tuesday October the 1st 1754

The last will and Testament of John Waller Gent Deceased was
Exhibited and sworn to by William Waller Gent one of the Exrs. therein Named
And was proved by the Oaths of Larkin Chew Gent John Semple & Thomas
Calline three of the witnesses thereto And ~~Filed~~ to the said Will was moved by
the oaths of John Minor Gent and James Samms witnesses thereto. And ordered to be recorded
And on motion of the said Executor Certificate is granted him for Obtaining a Probate
thereof in due form giving Security, whereupon he together with Roger Dixon & Joseph
Brook his Securitys entered into and Acknowledged their bond for his due & faithful
administration of the said Deceaseds estate & performance of his will &c. And John Waller
Gent the said Son & heir at law to the testator appeared and Desired time to contest the Validity
of the said Will, which is granted, and it is ordered that he be Summoned to the next court to
contest the said will relating to the land Deviseed away from him, if he shall think fit.

Test W. Waller Clerk

Continued and

At a Court held for Spotsylvania County December the 4th 1754

Exhibited and sworn to by William Waller Gent one of the Exrs. therein Named
And was proved by the Oaths of Larkin Chene Gent John Semple & Thomas
Collins three of the witnesses thereto And ² ~~Facil~~ to the said Will was moved by
the oaths of John Minor Gent and James Samms witnesses thereto. And ordered to be recorded
And on motion of the said Executor Certificate is granted him for obtaining a Probate
thereof in due form, giving Security, whereupon he together with Roger Dixon & Joseph
Brook his Sureties entered into and Acknowledged their bond for his due & faithful
Administration of the said Decedents estate & performance of his will &c. And John Waller
Gent Son & heir at law to the testator appeared and Desired time to contest the Validity
of the said Will, which is granted, And it is ordered that he be Summoned to the next court to
contest the said will, relating to the land devised away from him, if he shall think fit.

^{my}
Jes^r W. Waller Clerk

Continued and
At a Court held for Spotsylvania County, December the 4th 1754

John Waller Son and heir at law of John Waller Gent Decedent being Summoned to
appear, and make his Objections, if any he had, to the proof of the Will of his S^r Decedent, for contest the
Validity thereof in regard to the lands devised away from him, being solemnly called came not, and his failure
was ordered to be recorded.

^{my}
Jes^r W. Waller Clerk