

In the name of God Amen, I William Waller of the County of
of Pennsylvania Gent: being of sound mind & memory, for which
I thank to Almighty God, and calling to mind the
uncertainty of this life, and that all men must die, do
therefore make my last will & Testament in the following
manner Vizt: First & principally I commend my Soul
to the Almighty God who gave it me, humbly beseeching
pardon & forgiveness for my manifold sins & misdeeds,
hoping by the meritorious Death of my blessed Saviour
and Redeemer, Jesus Christ, to receive the same again
& to be made partaker of the Kingdom of Heaven, pre-
pared for those who trust for Salvation, in & by his
merits and mediation, and as to my Body to be In-
terred by my Executor herein after mentioned shall
think proper, which I desire may be / if it can be done
without much trouble & inconvenience / In the burying
yard, at the plantation where my Father lately dwelt,
and which he hath devised to me. # 9

Witness my hand

and which he hath devised to me

Secondly. I give unto my son William all my lands and plantations lying in Spotylvania County, which I bought of Mr. Wynnill Sanders, of ~~Virginia~~ ^{Richmond} together at different Times, of Richard Cousins, William Warren, John Warren, Samuel Warren, Sancelot Warren, John Farish, of Jeromiah White, also a small Tract of Land Stockup & patented near the place where Flamm Bridge formerly stood for a hundred and forty eight Acres more or less of Land Sunken Grounds, I land forth on Lewis's River, patented by me, & more, which said lands together with my water mill fall the year thereof belonging, I give to my said son William & to his Heirs forever.

Note: it is the water mill at my dwelling house 1. H. C.

Thirdly. I give to ^{my} son John all them Tracts of Land, lying in the County of Spotylvania, which my Father gave me by his will, containing that Tract whereon my Father lived and two other Tracts thereto adjoining, the whole devised to me as aforesaid by the will of my late Father the said John containing about Eleven hundred Acres more

bought of John Wynne
Times, of Richard Cousins, William Warren, John
Samuel Warren, Sancelot Warren, John Farish, of Jeromiah
White, also a small Tract of Land Stockup & patented near
the place where Flamm Bridge formerly stood & one hundred
and forty eight Acres more or less of Land & other Grounds,
Islands & forth on Lewis River, patented by me, & more, which
said Lands together with my water mill, fall the year thereof
belonging, I give to my said son William & to his Heirs forever
It is the water mill at my dwelling house / H. Q.

Item I give to ^{my} son John all them Tracts of Land, lying
in the County of Pennsylvania which my Father gave me
by his will, containing that Tract whereon my Father lived
and two other Tracts thereof as ajoining, the whole devised to me
as aforesaid by the will of my late Father the dated John
Miller Esq. containing about Eleven hundred Acres more
or less, as also that Tract of Land my Father gave me by
 deed of gift, Recorded in this County Court, containing about

Two hundred and seventy five acres, adjoining the land
of my Brother Benjamin and Mr. Sundry Lewis others and
my Brother Benjamin Smith on a bargain between us
for about one hundred thirty three acres of land, part of his
land that adjoins my land especially Race Ground Lewis
the money may be paid him by my Heirs which was the
same rate I sold land to Samuel Brown, that he the
said Benjamin Waller make a deed in fee simple for the
said land to my said son John & his heirs & give him also
that tract of land near the Glady run in the said County
which I bought of Ambrose Foster, containing about one
hundred and twenty acres as also all my lot or lots of
land adjoining the Town of Frederichsburg now in pos-
session of my Tenant William Lewis with all the houses
and other appurtenances all which said lands and
houses I give and devise to my said son John & to his heirs

for ever.

Witness my Daughter Ann

I Give and Bequeath to my Daughter Mary my
negro girl named Aida or Alice and a negro Boy named
Red (both were children) to her & her heirs forever. #

I Give and bequeath to my Daughter Dorothy One
negro girl named Isbell and a negro Boy named Tom (both
were children) to her & her heirs forever. #

I Give and Bequeath to my Daughter Mary my
negro girls named Jenny & Betty (both were children)
and Ten pistols each, to make up the value of her negro's
they being small & weakly, which negroes I give
to my said Daughter Mary & her heirs forever. #

I Give and Bequeath to my Daughter Sarah
my negro girl named Dinah (both were children) & a negro
Boy named Peter (both were children) to her & her heirs forever

And if it happen that any of the negroes given
as aforesaid to my Daughters should die before a divi-
sion of my Estate be made among my children

Item I give and bequeath to my Daughter Dorothy One
negro girl named Isbell and a negro Boy named Tom (both
Parr Children) to her & her heirs forever. # O

Item I give and Bequeath to my Daughter Mary my
negro girls named Jenny & Betty (both Pegg Children)
and Tom pistols back, to make up the Value of her Negro's
they being small & weakly, which Negro's of back I give
to my said Daughter Mary & her heirs forever. # O

Item I give and Bequeath to my Daughter, Sarah
my negro girl named Dinah (Parr Child) & a negro
Boy named Peter (Parr Son) to her & her heirs forever

And if it happen that any of the Negro's given
as aforesaid to my Daughters should die before a Divi-
sion of my Estate be made among my Children
as is herein after Directed, then I leave my Est^{es}

afterward, to set apart & deliver to such Daughter, an negro
of equal Value with that which died, (in lieu thereof) which
said Negro or Negroes my Daughter or Daughters (as the case
may be) & her heirs are to have and enjoy forever without being
accountable for the same or the Value thereof to any other children

Item. In consideration of the extraordinary care my wife
has always taken of me when sick, I give to her & her heirs
my Chair of state & two of my best horses which
she shall choose (except the horses devised to my sons) and all
my gold rings. H O

Item. My copper plate of my Family's Arms, & my silver
seat with the said Arms engraved thereon, I desire may
descend and pass to my right Heirs forever. H O

Item I give and bequeath to my Son William my pocket
watch and a bay horse that is called his, & I give my
son John my silver watch now in his possession, and
a sorrel Horse lately bought, which horses &c. I hereby
give to my said sons and to their Heirs forever. H O

Item I desire that my sons may have what further
Devotion my Executors may Judge necessary, and
their mother &c.

Item I desire that my Executors may Judge necessary, and
Education my Executors may Judge necessary, and
my Daughters, such Education as their mother or in case
of her Death my said Ex^{rs} may Judge necessary, and
the whole to be at the Expence of my Estate without
any Deduction out of their share of my Estate hereby
I wish to them. A

Item I stand to my Beloved Wife one third part of all
my Estate Real and personal for & During her natural
life & after her Decease it is my will that all the Slaves
& personal Estate then remaining which she was possessed
& (that ever belonged to me) be equally Divided among my
Children which shall be then living or their legal re-
presentatives by my Ex^{rs} or the survivor of them which
said Estate I give to my Children & their Heirs forever, &
if it so happen my wife will not stand to this my will
but take such part of my Estate as the Law Directs, that
then after her Death, I desire all the Slaves that belonged
to her as my Widow and their Increase be equally Divided
among my Children and their representa-

the whole to be at the
any Deduction out of their share of my Estate hereby
Advised to them. / O

I ~~Her~~ Stand to my Beloved Wife one third part of all
my Estate Real and personal for & During her natural
life & after her Decease it is my will that all the Slaves
& personal Estate then remaining which she was possessed
of (that ever belonged to me) be equally Divided among my
Children which shall be then living or their legal re-
-presentatives by my Ea^{rs} or the Survivor of them which
said Estate I give to my Children & their Heirs forever, &
if it so happen my wife will not stand to this my will
but take such part of my Estate as the Law Directs, that
then after her Death, I desire all the Slaves that belonged
to her as my widow and their Increase be equally Divided
as aforesaid among my Children and their representa-
-tives, by my Ea^{rs} as aforesaid which said Slaves according
to the said Division I give to my Children & their heirs forever.

448. and as my Wife has a good yearly Estate for 2000 of pounds
I hope she will be satisfied with what is her own share to her

I appoint my Brother Benjamin Walter Guardian to my
sons William and John, I also desire my said Brother to
settle my accounts and Affairs with our Brother Edmund
Haller which Account will appear by my Books of Accounts
and to act thereto in as he shall think proper, by Remitting
part of the said sum of money, there already paid and
am engaged to pay for him or by obliging him to pay
the whole, I also to act by as he thinks fit with the West
-gate the said Edmund has made to me, in the same
manner as if it was his own Debt & Affair, without
being accountable to my other Executors for so doing
and if he shall think fit that the said Edmund
pay money or other things to my Estate that then
the same to be divided in the manner as the rest of
my Estate is hereafter directed H. C.

x I desire my Estate may not be sold or appraised
only Inventoried among which also may be inventoried

and divided among my children all the slaves &
household goods & other personal Estate which formerly
belonged to Rob^t Waverley Esq^r. & are now in my
possession in the same manner as my other Estate
is to be divided among my children, unless my Es^r
and children think proper to agree that affair with
m^r Harry Waverley, my reason for this direction
relating to m^r Waverley, is I apprehend I have a right
to the said Slaves &c. by my wife under the said Power;
I say Will. &c.

I desire my Es^r to provide mourning rings for
each of my children and to accept of one apiece for
them & also that the rings be large enough to fit
my said children when they are grown up. &c.

Item. A Cow of Gold being given to each of my Daughters
Ann & Dorothy by their Grandfather John Wallis Esq^r. in the
Year 1744. and I not knowing which is the Increase of their
Cows, have made use of several of the said Gold, & in
Disputes I give to each of my said Daughters, five Cows

belonged to Mr. Beverley, and are now in my
possession in the same manner as my other Estate
is to be divided among my Children, unless my Ex^{rs}
and Children think proper to agree that affair with
Mr. Harry Beverley, my reason for this direction
relating to Mr. Beverley, is apprehend I have a right
to the said Slaves &c. by my wife under the said Law;
- says Will. &c.

I desire my Ex^{rs} to provide mourning rings for
each of my Children and to accept of one apiece for
them also and that the rings be large enough to fit
my said Children when they are grown up. &c.

Item. A Cask of Gold being given to each of my Daughters
Ann & Dorothy by their Grandfather John Waller Esq. in the
Year 1744. and I not knowing which is the Increase of their
Cows, have made use of several of the said Cattle to prevent
Disputes I give to each of my said Daughters, five Cows
& Calves over and above their share or part of the Cattle

or my other Estate, where it is Decided among my Children
in lieu of a full For the said Love and Calves given by their
Grandfather. # O

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Item; I desire that all my Estate be it of what Nature
or kind ever (not devised and particularly herein mention-
=ed) may be fairly & equally Divided among my Children
or their legal Representatives, which Estate according
to the said Division I give to my said Children & their
heirs forever, & I desire my Ex^{rs} or the Survivor of them
to make the said Division at such Time as their Mother
shall marry or Dye or any of my Children shall marry
Choose a Guardian, or attain to lawfull age, my mean-
=ing is to keep my Estate together as long as my Ex^{rs}
can, for the Benefit of my Children till which Time
I desire the negroes devised to my Children may be kept with
= & accounted as my Estate, and after any of them has re-
=ceived his or her Share of my Estate, that the remaining Part
thereof be still kept together till some other of my
Children has a right to their part of my said Estate
in the same manner

Children has a right to their part of my
and then to Devide again, by in the same manner
Estate to be continued and Divided till the last or
youngest of my Children shall have a right to Demand
her part, by when any of my Children receive their part
of my Estate under this Clause of my Will, that then
and not before they are to receive the Land, Horses
and Cattle, heroin before devised to them by untill they
do receive their respective parts, they are to be main-
tained at the Charge of my Estate. //

Item, I desire at my Death that my Apprentice of Newhouse
John Waller be immediately free by order my Executors to deliver
him his Indentures by pay him in six Months afterwards
five pounds, and I request his Father to put him to an Attorney
at Law. //

Item I will by Deed, that the Tract of Land I bought of Mr
Champelant whereas the widow Parish lives lying in
this County, and all that tract of Land by me that I bought
of Nicholas Horn in Caroline County, be sold by my Ex^{ors}
in a known Sale be applied

myself of my children and
her part, by when any of my children receive their part
of my Estate under this Clause of my Will, that then
and not before they are to receive the Land & Negroes
and Cattle, herein before devised to them & untill they
do receive their respective parts, they are to be main-
tained at the Charge of my Estate. —

Item, I desire at my Death that my Apprentice of the name
John Waller be immediately freed & order my Executors to deliver
him his indentures & pay him in six Months afterwards
five pounds, and I request his Father to put him to an Attorney
at Law.

Item I wish & direct, that the Tract of Land I bought of Mr
Champ. Gent whereon the widow Parish lives lying in
this County, and all that tract of Land & mill &c. that I bought
of Nicholas Horn in Caroline County, be sold by my Ex^{ors}
and that the money arising by such sale be applied
towards paying my Debts, & if that is not sufficient that then

150. my said Ex^{rs}, sell such part of my personal estate as they think fit / to make up what my outstanding Debts shall amount off / to Discharge my Debts. H

I Desire my Ex^{rs} to make what advantage they can of Nicholas Horns Mortgage of to me, if his Land sells more; falls short in raising what money, I must pay for him to Col^l Turner Mr^r Copland Mr^r Mitchell &c. H

Also I desire Mr^r Parrish may live on the Land where she now lives twelve months after my death, that she may have Time to provide another home. H

I do hereby Appoint my Beloved wife during her widowhood, my Brother John, Thomas & Benjamin my Friends Joseph Brock & Edward Herndon Jun^r / now under Sheriff / and my son William & John, my true & lawfull Ex^{rs}, Desiring them to execute my will, and thereby revoke all former Wills & Testaments by me made, In Witness of which I hereunto set my hand & seal this 22th Day of June 1750. Hundred & fifty

all former wills & Testaments by me made, I hereby
of which I hereunto set my hand & seal this 22nd Day
of October ~~1760~~ one thousand seven hundred & fifty six

Sealed published and declared by the said
Wm. Waller to be his last will & Testament

Wm. Waller

before us - - - - -

John Word.

Wm. Wood.

James Colquhoun.

Robert R. ^{his} Morrish.

John ^{mark} Wynne Sanders.

John Dew: Roy.

James Hurt.

David Woodroof.

Robert Goodloe.

Thomas Coleman.

At A Court Continued and held for Spotsylvania County At
the House of Robert Coleman's Son? May the 6th 1760.

The Last will and Testament of William
Waller Gen^l. Deceased was exhibited in Court and proved by the
Oaths of Rob^t. Goodloe Gen^l, William Wood and J^r. Colquhoun
three of the witnesses thereto and Joseph Brock Gen^l.

Wm. Hallor to be his last will & testament

before us - - - - -

John Word.

Wm. Wood.

James Colquhoun.

Robert R. ^{his} McMarch.

John ^{mark} Wynne Sanders.

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The last will and Testament of William
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Oaths of Rob^t. Goodloe Gen^l. William Wood and J^r. Colquhoun
Three of the witnesses thereto and Joseph Brock Gen^l.
of Edward Hornsdon Two of the Executors. The said will being
taken the Oath according to Law of James Word, the said
will is admitted to record, & Certificate is granted thereon

for obtaining letters of probate and it is ordered that
Liberty be given to the other Ex^{rs} & Ex^{rs} to prove
the same if they think proper, and that William Walter
shall at law of the aforesaid William be summoned
to the next Court to contest if he sees cause the Validity
of the said will. H. O.

Test John Miller Clerk

It is now all onen by these presents that we Joseph Brock, Edward
Shew William Smith & Peter Ley Winslow Jun.