

County of Stafford Gent. being sick & weak of body but of disposing
ing Henry Edmunds & calling to mind the
shortness & uncertainty of human life have thought fit
for the better management of my Estate to make this my
last will & Testament. My soul I recommend into the hands of
almighty God my Merciful Creator hoping for forgiveness of
all my sins only in & through the merits & mediation of my
dear Redeemer Jesus Christ. My body I leave to be decently
buried at the discretion of my Executors after manner and what
worldly Estate it hath pleased God to bestow with after my
Debt lawfully contracted and ^{first} honestly paid I dispose of as
follows. I give & bequeath to my loving son John
Waller & his heirs forever (after the death of my mother) the
Land whereon I now live & again a back or condition
that he pay unto each of the daughters the sum of
twenty pounds current money as they severally come of
age. I also give & bequeath unto my loving son Charles
Waller the part of an estate I bought of Thomas Hooper
at Trent Town under the following limitation & proviso
viz. that my son John & his heirs shall have the use & occupation
of one moiety of the said Land until the death of my mother
& that upon her death the said John & his heirs shall have
the said Land & bequeathed him or again he shall give
up the whole to my son & son Charles Waller & Charles
paying unto the said John the sum of Eighty Eight pounds
current money which is one half of the price of the said
estate that the said Charles shall pay unto each of the daughters
the sum of twenty pounds current money.

almighty God my Worshippfull Creator hoping for forgiveness of
all my sinne only in & through the meritorious mediation of my
dear Redeemer Jesus Christ. My body I leave to be decently
buried at the discretion of my ^{first} & hereafter named Executor
worldly Estate it hath pleased God to bestow with all my
Debts Lawfully Contracted and lawfully paid I dispose of as
follows. I Mr ^{first} James I give & bequeath to my loving son John
Waller & his heirs forever (after the death of his mother) the
Land whereon I now live over a certain brook on condition
that he pay me to each of his children during their lifetime of
twenty pounds current money as they severally come of
age. I Mr I give & bequeath to my loving son Charles
Waller the part of a land which I bought of Thomas Cooper
at Brent Town under the following Limitation & proviso
viz. that my son John aforesaid shall have the use & occupation
of one moiety of the said Land until the death of his mother
& that upon her death the said John becoming possessed of
the said Land bequeath the said Land on a certain day
up the which to my son John Charles Waller & Charles
paying me to the said John the sum of Forty Eight pounds
current money which is one half of the price of the said
Land that the said Charles shall pay me to each of his children
during their lifetime of twenty pounds current money
as they severally come of age. But my will is that all the
aforesaid should be paid to the said John & Charles
before any other debts of mine should be paid and in paying to the
said John & Charles the said sum of Forty Eight pounds

75
I Wrote Town until the Death of his mother that he be-
-come a possessor of my land at Acquia & then I give the said
Majority of my land at Brest Town & which he was possessed
to the Child with which my wife is privately in love if a Boy &
to live her for ever but if it should be a Girl only to have an
Equal Share with the rest of my Daughters of my Personal
Estate. Item I give & bequeath unto brother Edward Waller
and live her for ever two hundred & two Acres & one half
Acres of Land being part of my said tract at Brest Town
According to a Dividing Line made & agreed upon between
him & me he having joined with me in the purchase and
for which quantity I intended to have made him. Dodo
had it pleased God to spare me. Item I give & bequeath unto
my Sister Hannah Webb of Essex County seven hundred
pounds of Tob^o in the hands of Thomas Dobson of the said
County & due to me for rent. Item I will & desire is
that all the Goods in the Store belonging to Capt Roger
Lyndon be packed up & kept until he comes in to receive
them or Impowere some person so to do. And what
Goods of my own I have in the Store along with his I desire
may be sold to the highest bidder or bartered away for
coarse Goods for the use of my Family at the discretion of
myself & also that what Goods I bought of Mr Jos^{ph} Rofso
and Rase Burges & put in the Store along with the Thomas
Lyndon's Goods for the better sorting of them may
upon a bottom sent with him be deducted out of his part
in the value of them & appropriated with the rest of my
Estate to the use of my Family. Item I desire that my
Wife may as soon as possible sell my new fine silver watch
for a hundred & fifty pounds.

Sign
before

Acres of Land being part of my said tract at Brent Town in
According to a Dividing Line made & agreed upon between
himself & having found within the purchase and
for which quantity I intended to have made him. Dood
had it pleased God to spare me. **Item** I give & bequeath unto
my Sister Hannah Webb of Essex County seven hundred
pounds of Tobacco in the hands of Thomas Dobson of the same
County & due to me for rent. **Item** my will & desire is
that all the Goods in the Store belonging to Capt Roger
Lyndon be packed up & kept until he comes in to receive
them, or empower some person so to do. And what
Goods of my own I have in the Store along with his I desire
may be sold to the highest bidder or bartered away for
beaver Goods for the use of my Family at the discretion of
my Ex^{rs} & also that what Goods I bought of W^{ms} Rofso
and Rase Burges & put in the Store along with the said
Lyndon's Goods for the better sorting of them, may
upon a bottom out with him be sold out of his part
in the value of them & appropriated with the rest of my
Estate to the use of my Family. **Item** I desire that my
Ex^{rs} may as soon as possible sell my new fire & iron
hogshead still for the benefit of my Estate. **Item** my
will & desire is that my Sawyers be kept at their business
for the benefit of my Estate & kept in sorting in the
making of Corn for the use of my Family. **Item** all the
rest of my Estate of what kind so ever I give & bequeath to be
equally divided among my Children Mary, Sarah, John &

Sign
before

Charles & Mary Waller of the County of Stafford in the County of Stafford
do hereby certify that at the direction of the said Charles & Mary
Solely Consenting to the said Charles & Mary should
die before they can so agree that their children or other of their
Estate shall be Equally divided among the said children or other
issue of them. It is the desire of the said Charles & Mary
Waller the use of any money or land or other estate of theirs
Acquire during her Natural life only to be the sole use of any
Personal Estate. It is the desire of the said Charles & Mary
to be kept together & as soon as possible to be secured for the
maintenance of any wife or children until they Solely
Consent of all of them their respective children or other of their
Estate & the division thereof to be made by the said Charles & Mary
Majority of them. It is the desire of the said Charles & Mary
Loving wife Elizabeth Waller my brother Edward Waller and
my good friends Major Peter Hodgkinson Messrs John
Payton George Waller & John Manney Esqrs of the County
of Stafford to be made & signed by the said Charles & Mary
reaching & divanulling all former wills by them made
& declaring thereon by to be my last will. In witness
whereof I have hereunto set my hand & the seal of the said
this 2^d Day of December Anno Domini 1749

and Seal & published.

Elizabeth Waller

John Manney Esq. of the County of Stafford

William Manney Esq. Will Hodgkinson Will Payton

At a Court held for Stafford County the 11th Day of Decr 1749

It is the order of the Court that the said Charles & Mary Waller's last will be admitted to be the last will of the said Charles & Mary Waller by the said John Payton & George Waller Esqrs of the County of Stafford

Personal Estate. It is my will & desire that my Estate
be kept together & as soon as I shall be able to do so I will
maintain and support my wife & Children until they become of
Age & then their respective Estates to be divided
between them & the division thereof to be made by me, or by the
Majority of them. Lastly I do hereby appoint my
 Loving wife Elizabeth Waller my brother Edward Waller and
my good friends Major Peter Hodgkinson, Messrs John
Payton, George Waller, & John Manay & after my decease
last will & testament & Guardian of my Children and
receiving & dividing all former wills by me made
& declaring them only to be my last will. In Witness
whereof I have hereunto set my hand & affixed my Seal
this 2^d Day of December Anno Domini 1749

Seal & published.

E. Waller

or

John Manay, William Waller

W. Manay, Will. Hodgkinson, Will. Waller

Also a Court held for Stafford County 14th Decr 1749—
The within last will & testament of Elizabeth Waller given
done was presented to the Court by John Payton & George
Waller two of the Exrs. the same was read over & the same
according to Law and being proved by the oath of John
Manay, a Clerk William Hodgkinson & William Waller three
of the Exrs. & the said John Payton & George Waller two of the
Witnesses of the same the Court gave the same to the said
John Payton & George Waller to be put in Execution & to
the said John Payton & George Waller to be put in Execution