

In The Name of God amen I John Newton of Lower Machodach
in Westmoreland County in Virginia being in perfect health & sound mind
make this my last Will and Testament this 19th of August 1695 hereby
revoking all other Wills and Testaments whatsoever, and first I recommend
my Soul to God, believing for eternal rest & Salvation through Jesus Christ
my Saviour, and my body I desire to be decently buried by my Executors
hereafter named upon some of the Land which I have purchased and
my worldly goods which God hath graciously given me I give as
followeth, Item I give unto my Eldest son John & his heirs & assigns
forever, what Land I have at Carlton & Camelforth in Yorkshire and
that house in Hull which was my Fathers, the Land I bought of
Joseph Laycock and also I give him & his four Children One Thousand
pounds of Tobacco apiece, and I give unto my son Joseph Newton and
his three Sons 1000^{lb} of Tobacco apiece, and I give unto my son Benjamin
Newton and to his Daughter one Thousand pounds of Tobo: apiece; and
that thousand I give to John & to Joseph and to Benjamin, I will it be
paid them at my Death by my Executors; and the Thousand apiece to each
of Grand-Children, I will that my two sons Gerrat Newton & Thomas Newton
pay it equally betwixt them, the first year after the Death of my Wife
unto each Grand Childs own Father for the use of their Children and
they to pay it to each Child as they shall attain to 18 years of age
and further I give to my son John Newton, Joseph Newton & Benjamin
Newton and to their Widows, if they Continue their widows, so long that
they shall be able live for their whole lives.

Hereafter named upon some of the Land which I have purchased and
my worldly goods which God hath graciously given me I give as
followeth, Item I give unto my Eldest Son John & his heirs & assigns
forever, what Land I have at Carlton & Camelforth in Yorkshire and
that house in Hull which was my Fathers, the Land I bought of
Joseph Laycock and also I give him & his four Children One Thousand
pounds of Tobacco apiece; and I give unto my Son Joseph Newton and
his three Sons 1000^{lb} of Tobacco apiece; and I give unto my Son Benjamin
Newton and to his Daughter one Thousand pounds of Tobo: apiece; and
that Thousand I give to John & to Joseph and to Benjamin, I will it be
paid them at my Death by my Executors; and the Thousand apiece to each
of Grand-Children, I will that my two sons Gerrat Newton & Thomas Newton
pay it equally betwixt them, the first year after the Death of my Wife
unto each Grand Childs own Father for the use of their Children and
they to pay it to each Child as they shall attain to 18 years of age
and further I give to my Son John Newton, Joseph Newton & Benjamin
Newton and to their Widows, if they Continue their widows, so long that
they shall be sole free for their whole families seven years after my
Death, at either my Mill at Totaskee, or at my Mill in the freshes of
Rappahannock river which they please to make use of, but if their
Widows Marry then to be no longer sole free; Item I give to my Son

Grant that 1000 Acres of Lands I bought of Thomas Thart with all the overmasures
contained within the bounds which layeth in the fishes of Rappahannock River of
the mill which I have built there, to him and the heirs males of his body lawfully
begotten and for want of such heirs then to my Eldest Son John Newton and to
the heirs males of his body lawfully begotten and for want of such heirs then I
give the said Lands and mill to Joseph Newton my son and from him to his son
John and the heirs males of his body lawfully begotten, and for want of such
heirs then I give the said Lands & Mill to my right heirs at Law forever, but this
gift of this Land and Mill is with this reservation, that my said Son Gerrat or
they to whom it shall seem to at my death shall pay four Thousand pounds
of Tobacco to John Newton & Children, as I have before devised, and my said sons
John, Joseph & Benjamin and their widows shall be tith free as above, and also
pay to my loving Wife his mother, five Thousand Pounds of Tobacco if better every year
during her life in Liew of her tith or cover hereof, I likewise give to my said
Son Gerrat Newton four negroes Tim, Man, Will and Sarah, and the Increase
of their bodies from this date, and to enter as above of all at my death, Then
I give unto my Daughter Elizabeth Newton my moiety & halfe part of that
2150 Acres of Lands formerly Henry Walkers, and now granted to myself Colonel
Fitzhugh by deed from the Proprietors office, he have promised to take no advantage
of Survivorship, to her and to the heirs males of her body lawfully begotten, and for
want of such heirs then I give the said Lands to John Newton my Grandson, the son
of Joseph Newton and to the heirs males of his body lawfully begotten, and for
want of such heirs then I give the said Lands to my right heirs forever, also I give my

of his body lawfully begotten 350 Acres of Land at Totashy which I bought of
 of Mr Swillivant and my mill at Totashy with the two acres of land belonging
 to her, but for want of such heirs then I give this said Land & mill unto
 Benjamin Newton my son and to the heirs males of his body lawfully begotten
 and for want of heirs then I give the said Land and mill unto my right heirs at
 Law forever, but this gift of this Land & mill is with this reservation that my
 said Son Thomas or they to whom it shall descend to at my death shall pay
 4 Thousand pounds of Tobacco to the other 4 of my grand children, 3 of Joseph's
 Children and 1 Daughter of Benjamin as is before devised, and my 3 Sons John
 Joseph & Benjamin & their Widows shall be sole free as above and also pay
 unto my loving Wife his Mother 5000^{lb} of Tobacco & baskets every year during her
 life in Lieu of her thirds & dower hereof, I likewise give to my said Son
 Thomas Four Negroes Cuffy, Pigg, Jack & Moll and the Increase of their
 bodies from this date, and to enter of all as above at my death, and lastly
 I give to my loving Wife Rose, the use and labour of a Negro girl and
 the use of my Plate for her life, and then the girl and her Increase and my
 plate I give to my Daughter Elizabeth as is before expressed also I give
 my said loving Wife five Thousand pounds of crop Tobacco and baskets ~~and~~
 yearly and every year during her life to be paid her by her son General out
 of the profits of the Land and mill before devised unto him and in Lieu
 of her thirds and dower hereof and five Thousand pounds of Tobacco a year
 her life to be by her Son Thomas paid out of the profits of the Land and
 mill before devised unto him and in Lieu of her thirds & dower thereof
 Also I give her the labour and use of a Negro Frank & Negro Sue for her
 life, and at her death if living then to be equally divided betwixt my

bodies from this date, and to enter of all as above at my death, and lastly
I give to my loving Wife Rose, the use and labour of a Negro Girl and
the use of my Plate for her life, and then the girl and her Increase and my
plate I give to my Daughter Elizabeth as is before expressed also I give
my said loving Wife five Thousand pounds of best Tobacco and basket ~~and~~
yearly and every year during her life to be paid her by her son Genat out
of the profits of the Land and Mill before devised unto him and in Lieu
of her thirds and power hereof and five Thousand pounds of Tobacco a year
her life to be by her Son Thomas paid out of the profits of the Land and
Mill before devised unto him and in Lieu of her thirds & power thereof
Also I give her the labour and use of a Negro Frank & Negro Sue for her
life, and at her death if living then to be equally divided betwixt my
3 Sons John, Joseph and Benjamin, they first being Valued, and then cast
lots, which Brother shall have them, he paying his other Brother their
proportions; The rest of all my worldly goods not hereby devised, I give to
be equally divided amongst my 4 Executors hereafter named they paying
all my Just Debts, this my gift to my Wife is in Lieu of all thirds
powers paraphernalia and pretended Claims whatsoever; I make appoint
and ordains my living Wife, my son Genat Newton my son Tho^t Newton
and my Daughter Elizabeth Newton to be my sole and absolute Executors
to perform this my Last Will, and I earnestly intreat my loving friend Col^l

William Fitzhugh to advise and assist my said Executor, and in case of dispute
to decide all matters betwixt them, I hereby commanding my 3 Children and
Inherits my Wife to accept of his Judgment, and so not to go to Law, In
Witness whereof I have hereunto set my hand and seal the day and year
above written

Signed Sealed & Delivered by the said
Newton to be his last Will before us

John Newton

Deppsemeah Dalton Charles Tillery, Ellender Tillery

This Codicell made by me the Subscriber this 21st Day of December 1696
Declareth that my Son Gerrat shall not pay his Mother five Thousand pounds
of Tobacco a year because the profits of the mill will not bear it, and
therefore he shall only pay her two Thousand pounds of Tobacco yearly for her
life instead thereof also that Gerrat shall not have the within named Negro
Will as also that Gerrat shall not be one of my Executors, only the other three
To wit Thomas and Elizabeth shall be my Executors, and that I give Gerrat
all Cattle Hogs &c of which belongeth to me, that is now or shall be on his
plantation at the little falls, I also confirme to him & his Wife Rebecca a
small Deed of Gift I made to him and her when I was up to see them first
at this Plantation, about the begining of October last and it is then dated and
is for five hundred Acres of Land where they live, taking the whole length of the
Patent from the river to the back line, and this whether they have or have not
their Mailes; I give to my Eldest Son John that negro Jack I bought of Mr

of Tobacco a yeare because the profits of the mill will not bear it, and
therefore he shall only pay her two thousand pounds of Tobacco yearly for her
life instead thereof also that Gerrat shall not have the within named Negro
Will as also that Gerrat shall not be one of my Executors, only the other three
to wit Thomas and Elizabeth shall be my Executors, and that I give Gerrat
all Cattle Hogs &c of which belongeth to me, that is now or shall be on his
plantation at the little falls, I also confirme to him & his wife Rebecca a
small Deed of Gift I made to him and her when I was up to see them first
at their Plantation, about the beginning of October last and it is then dated and
is for five hundred Acres of Land where they live, taking the whole length of the
Patent from the river to the back line, and this whether they have or have not
their males; I give to my Eldest Son John that negro Jack I bought of Mr
Solton, and the labour and use of Negro Will I give to my wife Rebecca during
her life, but the negroes I give to my Three English Sons to be delivered up
living at her death, and to be divided between my said 3 Sons, as negro
Frank & Sue is to be divided; I give unto my grandson John the son of
Joseph two Hundred Acres of that Land I bought of Capt. Swann, next
adjoining to William Smiths 50 Poles in the breadth on the river and the
length of the Land from the River to the back line, this to him & the heirs
males of his body, and for want of such heirs then to descend to my right
line.

here at Law forever as Witness my hand and seal this 20th day and year above
 Witnesses Charles Tillery, Ellina Tillery
 Dejemiah Dalton John Newton

Wth That upon second thought I have thought fit to alter the last Clause
 of the above bodicell in the manner following (1788) I will and bequath the
 Hundred acres of Land I bought of Capt Swan, next adjoining to William
 Smith on the one side and Ganat Newton my son on the other side) To my
 Daughter Elizabeth and the heirs males of her body forever lawfully begotten
 and for default of such heirs to my right heirs at Law forever, and
 whereas I have before bequathed the said Land in the above bodicell (1782)
 200 Acres thereof to my Grandson John, the son of Joseph, and the rest
 of it to my right heirs at Law I hereby revoke the said clause & every
 part thereof, and whereas I have in the body of my Will given and
 bequathed the moiety of that 2160 Acres formerly Harry Walkers and now
 granted by Deed to Colonel Fitzhugh and myself out of the Proprietors
 Office, in which Colonel Fitzhugh hath promised to take no advantage
 of Survivorship) to my Daughter Elizabeth and the heirs of her body law-
 fully begotten, and for want of such heirs, then to my right heirs forever, I
 hereby revoke that Clause next above to all intents & purposes, giving and
 bequathing all my said moiety of the 2160 Acres of Land aforesaid to my
 Son John, Joseph, and Benjamin and to the heirs of their several bodies
 lawfully begotten, and for want of such heirs, then to my right heirs at
 Law.

Signed Sealed & Delivered before us

Richard Lee J. L. 1788

John Newton

of it to my right heirs at Law. I hereby revoke the said clause & every
part thereof, and whereas I have in the body of my Will given and
bequeathed the moiety of that 2150 Acres formerly Harry Walkers and now
granted by Deed to Colonel Fitzhugh and myself out of the Proprietors
Office, in which Colonel Fitzhugh hath promised to take no advantage
of Sunworship) to my Daughter Elizabeth and the heirs of her body law-
fully begotten, and for want of such heirs, then to my right heirs forever, I
hereby revoke that Clause next above to all intents & purposes, giving and
bequeathing all my said moiety of the 2150 Acres of Land aforesaid to my
Son John, Joseph, and Benjamin and to the heirs of their several bodies
lawfully begotten, and for want of such heirs, then to my right heirs at
Law.

Signed Sealed & Delivered before us

Richard Lee, John Hines, Elizabeth Nisam

Westmoreland Co.

John Newton Esq

At a Court held for the said County the 28th Day of July 1697

This Last Will and Testament of John Newton deceased above Written
with the two endorsed Codicils were this Day proved in Court /viz/ The above Tes-
tament and the first Codicil by the Oaths of Jesseemiah Dalton & Abner
Tilley and the latter Codicil by the Oaths of the Honorable Rich^d Lee Esq & John
Hines and a probate thereof granted the Executor therein named and ordered to
be Recorded

Teste James Westcomb Clk