

In the name of God Amen I Henry Kauter
of the City of Warrington in Virginia being in good health and of sound
Memory but knowing the Uncertainty of Life do make & declare this to
be my last will & Testament & First I give & bequeath my soul to
almighty God who gave it trusting in him for everlasting happiness
through the Merits of my Saviour Jesus Christ and for the wealth of
this world as it has pleased God to lend me I give & bequeath as follows
viz I give & bequeath to my loving wife Mary Kauter the life of
all my plantations called Baehus's, Coarsens and Thomas's or Lewis's
Creek and of all my houses in Warrington and at the Capital Landing
except my Store house and Warehouse in Warrington I mean the whole
rents & profits arising from my said plantations and houses to her life
for her Natural Life only I likewise give to my loving wife Mary
Kauter the life of my Negroes, cattle, horses, sheep, hogs with all my
household Goods for her support during her Natural Life not to be sold
or made away with but to be kept in a proper way of working and for
the better enabling my said wife to bleach & maintain James Cook
David Long wth Adams and Moody Bushler My will is that she be
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paid out of the store in money or
a year till the said David Long shall be Twenty one years old. Further my
desire is that my loving wife shall have one hundred pounds as soon as
it can be spared out of Trade to be at her disposal. I also give to
Peter Richardson of Pembroke hall in Cambridge my wife's Nephew
Two hundred pounds Sterling four old fashioned Silver Spoons and
Silver Tankard to be paid to him in three years after my death provided
my wife Mary Backen shall be satisfied with and abide by this my will
but if she will not abide by it then my will is that the s^d Richardson shall
have the Spoons and Tankard only and that he shall have no right to the
Two hundred pounds or any part thereof I also give to my Cousin Mary
Long now living with Alexander Marshall in Tollerston near Bampton in
Devonshire Two hundred pounds Sterling to be paid her when she comes to
the age of Twenty one years or if Mary's w^d shall first happen I give
to my Cousin John Long after the death of my wife my plantation called
Backen's & Courfells with the Stock of fettle hogs & sheep belonging
thereto at that time and three three Negro Men named Sam. Dick &
London that is to say I give the said Land & Slaves to him and the heirs
of his body lawfully begotten. I give to my Cousin David Long to be paid
to him when he comes to the age of Twenty one years Two hundred pounds
Curr^t Money of Virginia and after the death of my wife I give to him the said

143 David Long all my House and Lotts in Worsburg and at the Capitoll
Landing except the house called Kings and the Garden belonging to it
with the back house and her house as it is now laid out by patent also I give
to the said David Long my plantation called Thomas's on Queen Creek wth
the back thuron and the Slaves that is to say the house Land & Slaves
to him and the heirs of his body lawfully begotten I give to James Lock
after the death of my wife the house called Kings and the Garden belong-
ing to it with the back house and her house as it is now laid out by patent
to him & the heirs of his body lawfully begotten I also give to the said
James Lock one hundred pounds current money to be paid him when he comes
to the age of Twenty one Years. as to William Adkins my will is that
he be brought up in the Store and that at the age of Twenty two years
he be paid the sum of one hundred pounds current money I give to the
Son & to each of the Daughters of my Cousin W^m Backus w^h was born at
Wilmington in Woodworths in Devonshire Ten pounds Sterling to each
of them I say that shall be alive at the time of my death I give to the
three Daughters of my Cousin Mary Backus at Bulliton in Devonshire
Ten pounds Sterling each and in case any or either of them should die
before me My will is that the share or shares be paid to their Mother
or if she be dead to the surviving Sister or Sisters equally. I give to the three
Daughters of my Cousin Mary Tenant living in Shute in Devonshire

Ten pounds Sterling each and if any of them should be dead then share
to be received by him or them that survive. I give to my Cousin
Honour Lucy Daughter to Edward Lacey of Shute in Devonshire
fifty pounds Sterling desiring her to be dutiful to her parents
on which account this Legacy is chiefly given. I give to my Cousin
Robert Hacker in or near Lime fifty pounds Sterling but if he be
dead then the Money is to be divided amongst his Children that
are surviving. I give to my Cousin Katherine Hacker in Shute
Ten pounds Sterling. I give to be divided amongst the Children of
my Cousin Dorothy Tucker of Stockland in Dorsetshire fifty pounds
Sterling. These Legacies in Sterling Money are to be paid by my Executors
as soon as can be with Convenience after my death. My will is that
my Store be continued till my Nephew David Long shall come to the
Age of Twenty five Years and that then the whole Stock be equally
divided between my loving wife Mary Hacker and my 3^d Nephew
David Long desiring my Executors that they will never fear or least
suspect the Books and Store and always from time to time employ
such a Book Keeper as they shall find to be careful & understanding
in his business. My will is that my Estate shall not be appraised
and that my Executors shall not be obliged to account with the Court.
My will is that if John Long shall die without heirs of his body

144 Lawfully begotten that the Estate bequeathed to him shall descend to
David Long and the heirs of his body and in Case David Long shall
die without heirs of his body Lawfully begotten that then the Estate
be divided equally between my Executors James Cook, W^m Adams and their
heirs After a Division be made of the Stock my will is that my
loving wife shall have the Use of my Storehouse and Warehouse
during her Life. I give to each of my Executors Twenty pounds Curr^t
Money to be paid two years after my death Lastly I give to my
Cousin David Long after the death of my wife all my Estate that
is not already bequeathed both real & personal in what kind
soever in Money Goods Lands Stock or Slaves or any Revenue thereof
and I do appoint my beloved wife and my Friends Joshua
Tay, W^m Perkins and James Wray Executors of this my last will and
Testament who are to charge the Estate what they shall think
reasonable for what Trouble they shall be at In witness whereof
I have hereunto set my hand & seal this 16th day of October 1740

Signed Sealed & Delivered
in the presence of
W^m & others

Henry Hauber (S.S)

Thos. Tibbs
Wm. Graves

Settled in for York County Dec^r the 20th 1742

This last will & Testament of Henry Backer dec^d was this day sworn to by Wm. Prentiss & James Wray two of the Executors therein named and being proved by the Oath of the witnesses thereto was ordered to be recorded.

Test Math. Hubbard Clerk

Whereas I Mary Hornsby late widow of Henry Backer late of the City of Wm^{burg} dec^d am not satisfied with the provisions made for me by the last will & Testament of the said Henry Now known all Men by these presents that I the said Mary Hornsby do hereby declare that I will not accept receive or take the Legacy or Legacies to me given & bequeathed by such will or any part thereof and do renounce all benefit and advantage that I may claim thereby In witness whereof I have hereunto set my hand & seal this 20th day of Dec^r 1742.

Mary Hornsby (S.S.)

Math. Tibbs
Thos. Tibbs