

Mary Davis Will

This is the last Will and Testament of me Mary Davis, Widow & Relict of the late Good man Davis of the Town of Halifax made this 30th day of June in the year of our Lord 1809.

First as concerning my Estate I give the same in manner here following that is to say, I do hereby give devise and bequeath unto my Nephew William P. Burt son of William Burt of the Town of Halifax my tract of land situate lying & being in the County of Northampton and the Ferry therewith with all the appurtenances to the said said tract of land appertaining as also all flat Boats belonging to the aforesaid Ferry but subject nevertheless to this express proviso, that in case the said William P. Burt should die before he arrives to the age of twenty one year, then my will and express desire is that the aforesaid tract of land & Ferry should be equally divided between my beloved niece Harriet D. Epps wife of Richard Epps and Maria Burt daughter of the aforesaid William Burt And I further give and bequeath unto the said William P. Burt all my stock of every kind except my three Carriage horses which I reserve for the present as the use of my Estate — My further will and desire is and intention of which, I hereby give and bequeath and devise unto my Good and trusty friend William Burt of the Town of Halifax, in trust only, and for the only use and behoof of my beloved niece Harriet D. Epps wife of Richard Epps the house and Sots which I at present occupy in the Town of Halifax Together with the appurtenances thereto belonging or in anywise appertaining as also three adjacent Sots which was purchased from the late William Barksdale did to have and to hold the said last mentioned me & my heirs lands & Tenements Hereditaments and premises with the appurtenances upon trust as aforesaid unto

To have and to hold the said last mentioned negroes and
hereditaments and premises with the appurtenances upon trust as aforesaid unto
the proper use and behoof of the said Harriet D Epps her heirs and assigns for
ever, subject nevertheless to this restriction and limitation that on my death the
said Harriet D Epps shall have the immediate use & occupancy of the aforesaid
divided negroes & lots & houses to her use & pleasure And the aforesaid William
Burt shall be liable at all times to execute the aforesaid Trust to the only proper
use and behoof of her the aforesaid Harriet D Epps and when the said property
and of right requested shall convey the aforesaid Houses & Lots & negroes
lands and Tenements unto the said Harriet D Epps her heirs & assigns
in full and all the furniture belonging to said house &c

I further gave unto my beloved niece the said Harriet D Epps the follow
ing Negroes (to wit) Dick Peter Julia & her children

And my Will is and I do hereby give and bequeath unto Maria
Burt Daughter of the before mentioned William Burt the following
Negroes (to wit) Alfred, Polly Rhina, Cherry Betsey & Harry

And my Will is and I do hereby order & direct that my trusty
and well beloved negro fellow Jim who was manumitted free & liberated

374 by order of the Worshipful County Court of Halifax for his long and faithful meritorious services should have forever my lot of land in the Town of Halifax known and described Number (1) and the Circumjacent land to him forever with this reservation and restriction that in case the ferry should hereafter be moved from where it is now kept up to the land already devised to him or in case the said negro Jim should before that time wish to sell and dispose of the said lot and Circumjacent land that then and in that case my will and express desire is that a strip of land of one half acre back should be laid off and appropriated to the use of said ferry and which said piece of land in case either of these contingencies or events should happen and take place I give devise and bestow to the aforesaid William F Burt with the like bequests over in case of his death before he arrives to the age of twenty one - My further Will I desire is that the aforesaid ^{negro} Jim should have a free gift his wife Rinda and his two sons Joseph & Jim I give to the aforesaid Jim until they arrive to their respective ages of twenty one and then and at that time it is my Will and desire and do therefore order and direct that the aforesaid negro Jim be taken to the said Bury for him should in convenient time and without delay by proper Authority have the said ^{negro} Jim emancipated freed and manumitted and should the said Jim fail in this my request it is my Will and desire that my beloved friend Richard Charles Geo Esq or Wm Esq should have this matter and request done for

my request it is my will and desire that my beloved friend Richard
Epbes Esq. or Wm. should have this matter and request done for
me. It is to be understood expressly that the children that the said negro
wench Bina wife of the oldest Jim should hereafter have, ~~is~~ not to be
the property of the said Jim but my will and express desire is that they
should go and belong to my beloved niece Maria Burt.

And my will I desire is and do further order and direct that my Ne-
phew William I Burt to whom I have given the property aforesaid should
pay for the support & maintenance of the said John to their father
him the sum yearly of Twenty Dollars until the the said John Burt
should arrive to the age of Twenty one, and the further sum of Twenty
Dollars for the support and maintenance of the old negro wench Julia
every year during her life and the further sum yearly of Ten Dollars
for the support and maintenance of little Julia which I have hereto-
fore given to my niece Harriet D Epbes. And it is my will and desire
that my Esq. hereafter to be appointed pay the aforesaid several sums
of money as before appointed out until the aforesaid William I Burt
shall arrive to the age of Twenty one out of the rents & profits growing
and accruing from the Estate already herein devised to the said
William I Burt.

Dr. 11. 11. 11

Dr.

And I do hereby lastly appoint as my Executors and Testamentary Trustees and well beloved friends Richard Oppus & William Bart Esquires of the Town of Halifax
In witness whereof I the said Mary Widow & Testatrix haveing to this my last will and Testament containing Two sheets of paper set my hand and Seal when said sheets are fixed together the day & Year first above written

Mary Davis Seal

The writing contained in this and the preceding sheet of paper was signed and sealed by the abovenamed Mary Davis and by her published and declared do and for her last will and Testament in the presence of us who have hereto subscribed our names as Witnesses thereunto in her presence and in the presence of each other

Wm Drew
Robert Thuston

The Codicil

This is a Codicil to the last will and Testament of me Mary Davis of the Town of Halifax which I duly made & published bearing date the 30th day of June 1809 and which will, I do hereby certify and confirm in all respects Now I do hereby give and bequeath unto my beloved Wife Mary the whole of my said last will and Testament to her exclusive use

The Codicil

This is a Codicil to the last will and Testament of me Mary Davis
of the Town of Halifax which I duly made & published bearing date the
30th day of June 1809 and which will, I do hereby certify and confirm in all
respects. Now I do hereby give and bequeath unto my beloved Wife Mary
the wife of William Burt my negro fellow Adam to her exclusive use
and behoof as a gardener.

I do hereby further declare and give unto my well beloved friend Richard
Eppes of the Town of Halifax Merchant the Residuum of my Estate that is all
the property goods & Chattels rights and Credits which I may be possessed of or
in any way entitled to at the time of my death and not mentioned in the will
aforesaid

Mary Davis Seal.

Wm Drew
Robert Johnston.

Halifax County
(August Term 1815) When this Will was exhibited in open Court I duly
proven by the oaths of William Drew & Robert Johnston the two Subscribers of
the same as also to the Codicil and On Motion Ordered to be recorded. Whereupon
William Burt one of the Executors therein named came in and was duly qualified
to the same

Witness

Richard Eppes Clerk