

LAST WILL AND TESTAMENT OF MRS. FRANCES KERR

Translated from the Spanish
by Margaret Booth

FLORIDA

N. 25

Year of 1821

Testament

of Mrs. Frances Kerr and inventory of the estate she left in Mosquito Territory and conveyance of it to George Anderson as husband and person related to Sarah Petty Dunn, the sole and legitimate heir.

Will, in the name of the Omnipotent God, Amen:

Be it known that I, Frances Kerr, citizen of this Province, widow, and living in Mosquito Territory, native of the State of Virginia in the United States of America, legitimate daughter of Cristopher Petty and Sarah Neal, deceased:

Being sane and in my right mind and complete memory with which our Lord God has been pleased to endow me, but being aware of the uncertainty of human life and that all who are born must surely die, wishing to be prepared for death by making my last will and testament and, that it may be executed in due order in compliance with the laws to which I am subject, I do set it forth as follows. _____

1st. Item: I order that three pesos be given for the patriotic fund established by virtue of Royal order. _____

2nd. Item: I declare myself to have been married, first to John Dunn who died in the State of North Carolina from which marriage there remains only our daughter, Sarah Petty, now married to George Anderson, resident of Turks Island of the Bahama Isles; that also I was married a second time, to James Kerr, from which marriage there was no issue whatsoever.

3d. Item: I declare that when both marriages were contracted no capital whatsoever was brought to them by either of the aforementioned defunct husbands, and that everything I possess at present is my property unconditionally because of its having been acquired with my own capital and industry.

4th. Item: I declare as my property the plantation on which I am established which contains 450 acres of land situated to the West of the Tomoka River in Mosquito Territory, of which, 85 acres are planted in cotton and corn.

5th. Item: I declare moreover as my property thirty-nine or forty negroes of both sexes and of various ages, whose names I do not have at hand at the moment since they are at the aforementioned plantation, but they are well-known by all the residents and their names will appear on a list which I shall make when I return to my residence.

6th. Item: I declare as my additional property the household furniture, the farm tools, and two canoes, one of which can carry eight or ten bales of cotton.

7th. Item: I declare as more of my property twenty sacks of cotton which are stored at my aforesaid plantation.

8th. Item: It is my will, in consideration of the faithfulness and good services of my servants named Old Lidy, her younger daughter named Haga, and the Mulatto Fanny, all of my staff of house servants, that they, all three, be freed after my death and for that event I hereby grant them a letter of manumission.

9th. Item: It is my will that from my estate two thousand pesos be set apart to be invested in funds of the United States of America/ provided this has not been done prior to my death/ in order that the interests from them may be allotted to the use and benefit of my stepdaughter Juana Web, daughter of my late husband James Kerr, so that she may have the benefit of them throughout her lifetime upon the condition that at her death the benefit of the interests be transferred to my grandson Charles, youngest of the children which my aforesaid daughter Sarah Petty now has, to whom also, that is, to my aforementioned grandson Charles, I leave the principal of the two thousand pesos before referred to, so that he may invest this amount at his discretion when he has reached the age of twenty-one years, but if he should die before that time, it is my wish and my will that said legacy and benefits pass in the same terms in favor of his sister, my granddaughter Mary William. _____

10th. Item: I declare that my assets and liabilities will be on record in my accounts and papers. _____

11th. And in order to discharge this my will I name as my Executors my stepson William Kerr, resident in Nassau of Providence, and John Addison and Jose Mariano Hernandez, residents of this Province, to all of whom, jointly and severally, I confer the widest power and authority wherever it may be necessary, even though the year of executorship be passed, for I extend to them all the time they may need: It being likewise my will that in the event of my death the aforementioned John Addison remain the Administrator of my property, and at his death, the aforementioned Jose Mariano Hernandez, until such time as my legitimate heirs may appear to take possession of the property, for so my will is. _____

12th. And for the residue of all the possessions, debts, dues and enterprises which today are mine, and those which may be mine henceforth, I do appoint and name as my only and universal heir my aforesaid daughter Sarah Petty so that she may have what there may be and inherit it with God's benediction and with mine. And for this I do revoke and annul any and all other wills, codicils, powers and authorities which as a testament may have been made before this time, either in writing or orally, for I do not wish them to be deemed of worth nor that trust be placed in any excepting this which I wish to be kept, fulfilled and executed as my last and final will in the way and form that is most fitting and right.

In testimony of which on this second day of September, 1820, in the City of St. Augustine, Florida, I, the Scrivener, certify that I know the maker of this will who, to all appearances, is in her right mind and with faculties sufficient to make a will, for she has so declared it through Don Francisco Pasqual Sanchez acting as Interpreter, the witnesses being Mr. Gabriel W. Perpall, Mr. Francis Pellicer and Mr. Patrick Lynch, citizens present, and Mrs. Frances Kerr, and as Interpreter, Don Francisco P. Sanchez, before me, Juan de Entralgo, Government Scribe. _____

This copy is in conformity with its original which has been placed in the archives in my charge, to which I am referring and as evidence, in my name I notarize and sign the present document on four sheets of common paper on account of the seal not being used.

St. Augustine, Florida, dated as of today _____

Juan de Entralgo
Government Scribe.

We the subscribers at the request of Mr. John Addison one of the Executors to the last Will & Testament of Mrs. Frances Kerr late of Tomoka in the Province of East Florida deceased, have taken the annexed Inventory of the land, Negroes and effects of the said deceased Frances Kerr of which she died possessed, situated on Tomoka & which are appraised as follows-Viz.

| | |
|--|---------------|
| The Plantation containing four hundred and fifty acres of land, dwelling house, corn barn, temporary Cotten house, Kitchen, Negro houses, together with all other improvements therein, two thousand Dollars | \$2000 |
| One large canoe eighty dollars | 80 |
| one small canoe Ten dollars | 10 |
| Fourteen thousand Pounds or thereabouts, so estimated as it lays in the barn or cotton house of Ftone Cotton | |
| Seven hundred Dollars | 700 |
| Sixteen bales of Cotton, ginned and packed, valued at \$75 Dollars a Bale | 1200 |
| Two bales of yellow Cotton valued at forty dollars per bale | 80 |
| Thirty five Negroes in five families, viz | <u>\$4070</u> |

1st Family

| Supposed | Age | Names | Value | |
|----------|-----|-----------------|------------|------|
| | 40 | Clarinda | \$300 | |
| | 21 | Antonio her son | 350 | |
| | 18 | Joe " " | 350 | |
| | 15 | Jeffrey " " | 350 | |
| | 10 | Isaac " " | 275 | |
| | 12 | Sarah " dau. | <u>325</u> | \$19 |

2nd Family

| | | | | |
|--------|----|-----------------|-----------|----|
| | 28 | Pembroke | 350 | |
| | 31 | Lucy, his wife | 350 | |
| | 13 | Betty, her dau. | 325 | |
| | 11 | Jeanie, Do. | 300 | |
| | 5 | Matilda Do. | 150 | |
| | 3 | Phillis Do. | 125 | |
| | 9 | Bob, her son | 200 | |
| Marthy | 3 | Solomon " " | <u>50</u> | 18 |

3rd. Family

| | | | | |
|--|----|------------------|------------|---|
| | 29 | Coe | 350 | |
| | 9 | Hannah, her dau. | 200 | |
| | 6 | William her son | 175 | |
| | 4 | Cromwell " " | 150 | |
| | 2 | Richard, Mulatto | <u>100</u> | 9 |

4th. Family

| | | | | |
|--|----|------------------|------------|----|
| | 26 | Beau | 350 | |
| | 20 | Scipio | 350 | |
| | 17 | Mary Mulatto | 350 | |
| | 1 | Milah, her child | | |
| | | mullato | 75 | |
| | 4 | Chapa | 150 | |
| | 14 | Jack | <u>300</u> | 15 |

5th. Family

| | | | | |
|--|----|-----------------------|-----------|---|
| | 20 | Tom | 300 | |
| | 58 | Maria | 100 | |
| | 60 | Captain | 50 | |
| | 70 | Peter (superannuated) | 000 | |
| | 17 | Ebony | 350 | |
| | 1 | George, Mulatto | <u>75</u> | ? |

6th. Family

| | | Amt. brt forward (Value) | |
|----|-----------------|--------------------------|---------------|
| 23 | Prince | 350 | |
| 20 | Laura His wife | 350 | |
| 4 | Cherryher child | 150 | |
| 2 | Simon " " | 100 | |
| | | | 950 |
| | | | <u>\$8175</u> |

\$7225

(continued)

| | |
|---|------|
| 2 Mahogany dining Tables | \$16 |
| 1 old Cedar breakfast do. | 3 |
| 1/2 dozen chairs | 5 |
| 10 Silver table spoons | 25 |
| 5 Do. Tea Do. | 3 |
| 1 Mattress, 2 bed straws beds & bedding | 30 |
| Plantation tools now in use | 25 |

Kitchen Furniture

| | |
|---------------------|----|
| 5 Iron pots | |
| 1 pair Waffle Irons | |
| 2 Dutch ovens | 10 |
| 2 prs. flat Irons | |

| | | |
|--------------------|---|-------|
| 1 piece Bombazetta | 9 | \$126 |
|--------------------|---|-------|

Plates, dishes cups, & saucers, Knives
& forks in use by the overseer

Amt. brot. from Page 1st

4070
\$12371

Tomoka
March 2d - 1821 }

Approved
John Addison }

James Darley

Joseph Wales