

WILL OF COL. ROBERT ARMISTEAD.

In the Name of God, Amen. I, Robert Armistead, the elder, of Elizabeth City County, being sick of Body but of sound Mind, do make this my last Will and Testament in Manner following:

Imprimis. I recommend my Soul to God, its Maker. I give and bequeath unto my Son, William Armistead, all the Lands I possess at Sawyer's swamp, to him and his heirs forever.

Item. I give the Plantation whereon I formerly lived to Son James Armistead, provide he shall live during the Term mentioned in a Lease granted to me for the same by the Trustees of Eaton's Free School, it being Part of the said Land. And in case of his Death before the Expiration of the said Lease, then I give the same unto my Son William Armistead.

Item. I give all the Slaves now in my Son-in-Law, Joseph Selden's, Poss'on, & their increase, to him & his heirs, which have been delivered to him some time.

Item. I give & bequeath unto my Son, Wm. Armistad, & his Heirs, my Slaves Malaca & Bess, In Trust, nevertheless, upon this Condition & for no other, To hold in Trust for the Use of my Son, James Armistead, during his natural life, subject in any James' Debts, and after his Death in Trust, & the children of him, the sd. James, and Their Heirs.

Item. I give to my Son, Thos. Armistead, and his Heirs, my Negro Boy named Cato.

Item. I give to my Son, Moss Wallace Armistead, my Negro Boy Toney, to him & his Heirs, which, together with what Money and other Things I have given him, will make him equal with my other children, & is all I intend to do for him.

Item. I give unto my Son, Robert Armistead, & his Heirs, my Negroes Boatswane, Phebe, Charles, Juba, Rose & Dinah.

Item. I give my Negro Girl Nanny to my Granddaughter, Euphan Armistead, daughter of my Son William, to her & her Heirs.

Item. I give all the Residue of my Shares & personal Estate to my two Sons, William and Thomas Armistead, to them & their Heirs, equally to be divided between them.

What provision I've here made for my Son James, together with what Money I have before given him & have been obliged to pay for him, is all I intend to do for him.

Item. I hereby release all my Children from all Debts they may owe me at the Time of my Death.

Lastly, I constitute and appoint my Son, William Armistead, & my Friend, Richard Cary, Executors of this, my last Will & Testament, hereby revoking all other Wills heretofore by me made. And I order that my Estate be not appraised or my Executors held to Security.

In Witness whereof I have hereto set my Hand & Seal, this 28th Day of July, Anno Dom. 1771.
Signed, Sealed published
& declared by the Testator to
be his last Will & Testament,
in Presence of us.
Richd. Cary. R. Armistead. (Seal).

At a Court held for Eliza. City County, Novr. 2, 1774, This Will was presented in Court, and proved by the Oaths of Witnesses thereto, and Ordered to be recorded. And, on the motion

of Wm. Armistead, Gent., one of the Executors in the Will named, who made Oath according to Law, Certificate is Granted him for Obtaining a probat thereof in due form (no Security required), and Richard Cary, the other Executor named in the said Will, appeared in Court & refused to take upon him the Executorship thereof.
Teste: Cary Selden, Cl.