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72/

I know all men by these presents that we William Chapman & John Gibbs are held & legally bound unto James Marbours, Ambrose Medley, John Smith & Adam Banks gentlemen Justices of the County Court of Madison now sitting in the sum of thirteen hundred and twenty five dollars & fifty two cents to which payment well and truly to be made to the said Justices or their Successors we bind our selves our heirs Exors & Administrators Jointly and severally firmly by these presents sealed with our seals & dated this 27th day of March 1795

The condition of the above obligation is such that if the above bound William Chapman Sheriff of this County do & shall well & truly collect the County Levy of the said County for the year 1794 and pay the several County Executors the respective sum or sums to them due & levied by appraisal & account with the Court for the balance according to do then the above obligation to be void, otherwise to remain in full force & virtue

Signed Sealed & acknowledged
In the presence of
Henry Field Jr

William Chapman (Seal)
John Gibbs (Seal)

At a Court ^{continued to} held for Madison County on ~~Monday~~ ^{Friday} the 27th day of March 1795

This Bond was acknowledged and ordered to be recorded Test John Walker Justice

In the name of God amen I William Whitley Senor of the County of Madison & State of Virginia being through the abundant mercy of god having (though weak in body) continued in perfect senses of mind blessed be god for it - but collecting to mind the certainty of death & the uncertainty of life - do therefore make, constitute, and Ordain this to be my last will & testament - and I desire it may be received by all as such and I utterly revoke all former Wills by me here to fore made Inprimis I give my body to the ground from whence it was taken in full assurance of its resurrection at the last day - and as for my burial it may be decent with out pomp or state at the discretion of my Dear wife & Executors here after named Item - I lend to my dearly beloved wife Sarah Whitley during her natural life all that tract of land I now live upon adjoining together lying upon the Stanton river - also

73/ one other tract of Land known by the name of the Mill tract containing one hundred and eighty three acres which I purchased of my brother James Whitley together with the Mill standing on the above said River &c.

Item. I lend to my dearly beloved wife Sarah Whitley during her natural life Eleven negroes (by their increase) that is to say Dinah. Patrick. Ben. George. Solomon. Jupitt. Rose. Fredrick. Pippen. Waylor & Ester. Also all my household furniture (Clock only excepted) and all my Kitchen furniture & Stock of all kinds. Consisting of horses. Cattle. Sheep & Hogs & all my plantation tools & one Waggon & yoke & two Stills &c.

Item. My Will & desire is that all my negroes shall continue to work upon my home house plantation by the Mill plantation, to the end of the year, that my death takes place and the whole crops made on both these plantations to be sold by my Executors hereafter named for the best price that can be had by the money arising from the sales of the said crops to be applied to the payment of my Just Debts, Except the crops of the two negroes Waylor & Ester which negroes is in possession of my son William Whitley. Said crops made by them that year my death takes place my Will & desire is shall continue the property of said son William Whitley.

Item. I give & bequeath to my son William Whitley (after the death of my beloved wife Sarah Whitley) all that part of this tract of Land I now live upon. Lying South & South west of a line to begin at a corner at the Arbor spring at three white oaks a corner in John Delany's line & thence by a line of marked trees to a corner standing by a large rock at the foot of a hill near to the Stanton River. Said rock & corner is on the West side of said River thence turning the same course of the last mentioned line to be continued till it strikes my old patent line next to Alexander Simpsons to him the said William Whitley his heirs & assigns forever.

Item. I give & bequeath to my son Jeremiah Whitley (after the death of my beloved wife Sarah Whitley) all that part of this tract of Land I now live upon (not to extend to my Mill tract) Lying North of a line to begin at a corner at the Arbor spring at three white oaks a corner in John Delany's line & is a corner to William Whitley Sr. thence with a line of marked trees to a corner standing by a large rock at or near the foot of a hill on the West bank of the Stanton River thence continuing the same course of the last mentioned line & binding upon the tract Just will.

74) to William Whitley Jun^r I will he strike my old front line next to Alexander Simpson together with my dwelling house out houses & orchards which stands upon the said tract of Land. I give to him my son Jeremiah Whitley his heirs & assigns forever

Item... My Will & desire is that when ever my Executors (which is here after named) shall see cause to sell my Mountain tract of Land which I purchased of Joel Carley they are hereby Impowered to do so & the money arising from the sale of said Land my Will & desire is that it shall be apply^d to the payment of my Just debts If any there be - But if their^{be} no debts due then my Will & desire is that the Money arising from the sale of the said Lands shall be Equally divided between my five children William Whitley, Elijah Whitley, Jeremiah Whitley Margaret Paulford & Elizabeth Davis to them their heirs & assigns for ever, also my Will & desire is that after the death of my beloved wife Sarah Whitley that my Executors here after named shall proceed to sell my Mill tract of Land containing one hundred & eighty three acres together with my grist mill which stands upon said tract of Land for twelve months breatt taking bond & good security and the money arising from the sale to be Equally divided between my five children William Whitley Elijah Whitley, Jeremiah Whitley Margaret Paulford & Elizabeth Davis to them their heirs & assigns forever &.

Item I give & bequeath to my son William Whitley (after the Death of my beloved wife Sarah Whitley) two negroes that is ^{to} say Wagon & Ester and alls all the Increase of the said Ester to him the said William Whitley his heirs & assigns forever -

Item... My Will & desire is that at the End of the year which my death shall please in, that my Executors here after named shall then Immediately provide to sell for ready money the following Slaves, Oliver, Nan, Phill, King, Eve, Kate, Tandy Will, Judy, Jacob & Rachel & their Increase they or each of them may have before the day of sale alls one block & alls any other articles that my wife Sarah Whitley should choose to give up to be sold on the day of sale (and the money arising from the said sales, shall be Equally Divided between my five children William Whitley, Elijah Whitley, Jeremiah Whitley Margaret Paulford & Elizabeth Davis to them their heirs & assigns forever &.

Item... My Will & desire is that after the death of my beloved wife Sarah Whitley that

all

75/ all the slaves of their Increase together with all the ^{other} personal Estate that I have heretofore
Lent to my wife Sarah Whitley during her life two negroes except Baylor & Ester which
I have given heretofore, shall at her death, be sold by my Executors (hereafter named)
for ready money & the money arising from the said sales shall be equally divided between
my five children William Whitley, Elijah Whitley, Jeremiah Whitley, Margaret Maudford
& Elizabeth Davis to them their heirs & assigns forever.

Item My will & desire is that my Executors hereafter named shall collect all the money
due me by bill Wonders open Account and apply the same to the payment of my Just
debts - and the ballance of money which may be due in their hands after discharging
my will & desire is shall be equally divided between my five children William
Whitley, Elijah Whitley, Jeremiah Whitley, Margaret Maudford & Elizabeth Davis
to them their heirs & assigns forever.

Item I give & bequeath to my two grandsons namely Elijah Whitley & Elliott Whitley (sons of
my son William Whitley) the sum of fifty pounds specie each, to be paid them, out
of the first money which my Executors hereafter named shall collect of the money
which are due me either by bond or otherwise, to them the said Elijah Whitley & Elliott
Whitley, their heirs & assigns forever.

Item I do hereby constitute & appoint my son Jeremiah Whitley & my son in Law Isaac
Davis, Adam Manks my whole & sole Executors to this my last will & testament
revoking all other wills heretofore made declaring this to be my only last will
& testament In witness here of I William Whitley Senr. have here unto set my
hand & affixed my seal this 3^d day of March one thousand seven hundred & ninety
five.

Sign'd Seal'd in presents of

Inter lined before signing with the words two negroes
except Baylor & Ester which I have given heretofore

William Whitley 

Merry Walker

John Parker

Frank Harvey

Francis Whitley

At a Court held for Madison County on Thursday 23^d day of April 1795.

This last will and testament of William Whitley deceased was exhibited into Court and
proved by the oaths Merry Walker, John Parker and Francis Whitley witnesses thereto
and ordered to be Recorded, and on motion of Isaac Davis and Adam Manks two of
the

The Executors therein named who made oath thereto and together with Merry Walker and Francis Whitley their securities entered into and acknowledged their Bond in the penal-ty of twenty thousand dollars conditioned as the Law directs Certificate is granted them for obtaining a probat in due form Liberty being reserved for the other Executor to qualify &c.

Test John Walker jr Clerk.

Know all men by these presents that we Isaac Davis, Adam Banks, Merry Walker and Francis Whitley are held and firmly bound to Wm Walker, Henry Hill, Robert Meale & William Evesgenton Justices of the Court of Madison County now sitting in the sum of twenty thousand dollars to the payment whereof well and truly to be made to the sd Justices and their Successors we bind our selves and each of us our & each of our heirs Executors & Administrators Jointly & severally firmly by these presents sealed with our seals & dated this 23^d day of April one thousand seven hundred & ninety 5th in the 19th year of the Commonwealth. The condition of the above obligation is that if the said Isaac Davis and Adam Banks Executors of the last will & testament of William Whitley Sen^r deceased do make a true and perfect Inventory of all and singular, the good chattels and credits of the said deceased which have or shall come to the hands possession or knowledge of them the said Isaac Davis & Adam Banks or into the hands or possession of any other person or persons for them and the same so made do exhibit into the County Court of Madison at such time as they shall be thereto required by the said Court and the same goods chattels and credits do well and truly administer according to Law and make a just & true account of their actings and doings therein when thereunto required by the said Court, and further do well and truly pay & deliver all the legacies contained & specified in the said will as far as the said goods chattels and credits will extend according to the Value thereof and as the Law shall charge then this obligation to be Void or Else to remain in full force &c.

Signed Sealed and delivered
in the presence of
the Court &c.

Isaac Davis. (Seal)
Adam Banks. (Seal)
Merry Walker. (Seal)
Francis Whitley. (Seal)

At a Court held for Madison County on Thursday the 23^d day of April 1795

This Bond was acknowledged and ordered to be Recorded &c.

Test John Walker jr Clerk.