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Liber PC #6 folio 567-573, Maryland Prerogative Court Vol. 1, FHL film 12841. Transcribed by Diana Bara.

Die Luna, 15<sup>th</sup> December 1673 ~

Came John Gerrard the son of Thomas Gerrard Late of Mathotick [Machodic] In the Colony of Virginia, formerly of St. Clement's Manor in the county of St. Mary's in this province \_\_\_ deceased the said John being one of the Executors of the said Thomas and exhibited the Last Will and Testament in Writing on the said Thomas signed with his hand and sealed with his seal in two sheets of paper and witnessed by John Waugh, Isaac Allerton, John Lee and John Cooper. Witnesses desired and requested to attest the said Will the said John in his proper person Requested to be admitted to make proof of the said Will by the witnesses VIZ: Maj. Issac Allerton and Capt. John Lee. Thereupon the said Issac Allerton and John Lee being sworn upon the Holy Evangelists upon their oathes do say that they did see the Testator Thomas Gerrard sign Seal Publish and Declare the said two sheets of paper now showed them to be his last Will and Testatment the tenor of which Will followeth in these words ---- ~ VIZ.

In the Name of God Amen so be it the fifth day of February 1672. I Thomas Gerrard of Mathoticks in the County of Westmoreland in the Colony of Virginia Esq. Being at present well and in bodily health and good and perfect memory, Thanks be unto Almighty God and calling to mind the uncertainty of a temporary Life and that all flesh must yield unto death when and where so do it seems good to Almighty God, Do therefore make, constitute ordain and declare this my Last Will and Testament in manner and form following - Revoking and adnihillating [annihilating] by these presents both in Deed and in Law all and Every testament and testaments Will and Wills heretofore by me made and Declared Either by word or by writing and this is to be when only for my Last Will and Testament and none other~

And first being penitent and sorry from the bottom of my heart for my Sins past. Most humbly desiring forgiveness for the same do commit and commend my soul unto Almighty God my Creator and Redeemer through whole Mercy and by the Merits of Christ's Death and passion and trust and believe afforedly to be saved and to have full remission and forgiveness of all my sins and that my soul with my Body at the General Resurrection shall rise again with Joy and inherit the Kingdom of God- prepared for his Chosen and Elect - ones, And my body I give to the Earth to be buried as nigh as possible can to my deceased wife Susannah Gerrard by my Executor and Executrix hereafter named and now for settling my Temporal Estate and such Goods and Chattles as it pleased God Almighty to bestow upon me~ I do order give and dispose in manner and form following, (that is to say),

First, I will and ordain that all such debts and duties as I owe in right and conscience to any person or persons shall be well and truly contented and paid or ordained so to be paid within convenient time after my decease by my Executors here after and after my debts paid my funeral expenses discharged and the severall and respective legacys in this my Will mentioned, given, and expressed be likewise contented and paid according to the purposes and true intent and meaning of this my Will that then all and wholly the personal estate unto me belonging either in the Province of Maryland, in the Colony of Virginia, and the Kingdom of England upon the last or any other place of the world where it shall be or may be found:

I do hereby give and bequeath unto my son John Gerrard and my loving wife Rose whom I do hereby appoint and ordain my full and joint Executors of this my last Will and Testament, to all Intents and purposes in as ample manner as the Laws of England of the Colony of Virginia and of the Province of Maryland will or may admit,

I give and bequeath unto my Daughter Mary - Thirty Thousand pounds of Tobacco to be paid unto her within one year after my decease (if not during my life), in full for her portion of my personal Estate:

I give and bequeath unto my said daughter Mary and the heirs of her body for ever lawfully to be begotten: four seats of land (that is to say) all the land in Mistre's Whites Neck lying on the right hand of the path that leads from Mattapeny Bridge down the Neck unto my Son in Law Blackstone or John Shanks now in my own

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occupation, one other parcel of Land called Saint Katharine's Manor, in the occupation of John Dennis, three hundred acres of Land more in Broad Neck lying between one Mr. Cole and Mr. Salleys more, Westwood Lodge in the possession of Sam Dobson all which lands are lying situated and being in the county and province of Maryland together with all the Rights and privileges and appurtenances thereunto belonging shall, be holden by the said Mary and her heirs for Ever after she does arrive at the age of one and twenty years or day of marriage. If I do not sell or otherwise dispose of the same lands or any part there of in my lifetime only deserving due and payable out of the said lands unto the Lord of the Manor all such rents duties and services as is there unto belonging. Now in case my said daughter Mary shall dye before she arrives at the age of one and twenty years or without issue of her body Lawfully begotten then my Will and meaning is that all my Lands and other legacies to her bequeathed shall be equally divided amongst the rest of my sons and daughters surviving and the survivor or survivors of them or any of them by even and equal persons.

I give and bequeath unto my Eldest son Justinian one moyety [moiety -one half or equal shares] of that manor of St. Clement's and the other moyety to my now loving and dear wife Rose during her natural life and afterwards the said moyety of the said manor of St. Clement's possessed by her in her life time to come into possession as the real estate of the heirs male begotten by me on my said loving wife Rose and if female then the aforesaid moyety after the decease of my loving wife Rose, I give the whole manor aforesaid to my eldest son Justinian willing him to pay into each daughter or daughters so begotten by me on my said loving wife Rose twenty thousand pounds of tobacco either when they arrive at the age of one and twenty rears or the day of their marriage and to be under the tuition of my executors and my said son Justinian with his heirs lawfully to posses the whole of the aforesaid manor of St. Clement's for Ever with it's Rights and privileges unless I otherwise disposed of it in my Lifetime.

I give unto John my youngest son one Moyety of those lands called Bastford [Bashford] Manor and the other to my Dear wife Rose during her natural life and after her death to the heirs male begotten by me on my said Loving Wife Rose and if female then at the Death of my Wife I give that whole manor of Bastfoord to my Son John aforesaid - willing him hereby to pay unto each daughter or daughters so begotten by me on my now Loving Wife Rose ten thousand pounds of Tobacco at the age and day aforesaid and he with his heirs lawfully begotten to possess the whole aforesaid Manor of Bastfoord forever with its rights and privileges unless I otherwise dispose of it in my lifetime.

I do give unto my youngest son John one Moyety of that land or plantation in the Colony of Virginia called by the name of Gerrard Reserve Lying situated and being at Lower Mathotick in Westmoreland County in the aforesaid colony and the other half to my dear and loving wife Rose during her natural life and after her death that the said moyety by her possessed be given unto and possessed as the Real Estate of the male child begotten by me on her, and if only female that the aforesaid planation called Gerrard's Reserve be after her decease be give wholly unto my son John, he paying unto each daughter or daughters begotten as aforesaid ten thousand pounds of Tobacco and he the said John to possess the said planation he and his heirs forever with all its rights and privileges unless I other wise dispose of it in my lifetime. In Like manner, I give and bequeath unto my grandchild Gerrard Paton one young Negro about a year or two of age within one year after my decease, to be in the custody of his guardians.

Item, I give unto my daughter Mary her choice of the intent and meaning in that she take only one out of all the Negro girls born in my custody, as also one horse and one mare to her and her heirs with their increase and advantage forever to be delivered immediately after my (demise) to her possession.

**I give unto each of three sons and five daughters that shall survive me** twenty shillings sterling to buy each of them a mourning ring to wear in remembrance of me and also so much to my Sons in Law, Daughters in Law, and grandchildren.

In the manner whereas to have given and marked [branded] two mares with GT. for the use of Gerrard Tucker my will is therefore that the increases of the aforesaid two mares so improved for the maintenance and education and schooling of the said Gerrard Tucker and that they or two as good be made forthcoming and delivered to the said Gerard Tucker when he arrives at the age of eighteen years. As also I leave and

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give unto my Negro Boy baptized and named Thomas one thousand pounds of tobacco to bestowed upon for his learning and education at the discretion of my Executors.

Item, I give unto my loving friend Mr. John Wauge [Waugh] one Ring of the same value and of these rings above granted to my children. And if it shall hereafter happen, at anytime hereafter, that ambiguity doubt question or controversies to grow or use concerning the true meaning and intent of this my will and testament, I will therefore that my Executor and executrix choose each of them a judicious person and according to their verdict let the doubt and dispute be ended without commencing a suite at law. My Will is hereby that whatsoever Gifts and Deeds are by this will given and made over unto my now Loving and dear wife Rose by her, accepted as full and complete of all Dowers or thirds belong unto her by law of my personal and Real estate and if otherwise that she shall have no Right Claim or title to any thing by this my last Will and Testament -

In like manner, I give and bequeath to my eldest son Justinian my whole right Title and interest to any land or parcel of Land lying within the Kingdom of England to him and his heirs forever.

Item, I will that whereas was given by me in a Deed of Gift four Negro Slaves servants twelve kine [cows] with calves by their sides or with two feather beds with furniture household furniture contained in the said Deed of Gift made the 28th of January last, by past and to be acknowledged in court by attorney already for that End appointed, I will that the aforesaid Deed and every Clause within contained be valid and of force and made forthcoming for the use of the four children in it mentioned and if any of the four Negroes die before their delivery to the several children that the dead Negro or Negroes be made good by supplying of other as good live Negroes as they were before their death.

I will, in like manner, that what male heirs are by me begotten -On my now Loving wife and so possessing for them and their heirs the moyeties of Saint Cement's Manor, Bastford Manor and Lying and being in the Province of Maryland and the moiety of that Plantation called Gerrard's Reserve on Mathotick in the Colony of Virginia..... with my eldest son Justinian and my youngest son John that then the aforesaid male heirs by me so begotten, shall pay unto each daughter or daughters so by me to be begotten accordingly as I have ordered already to be paid by my sons Justinian and John for their several possessions and also my will is that if there shall be a second or third son by me so begotten that the eldest possess the whole moyeties aforesaid paying to each younger brother forty thousand pounds of Tobacco and my will is further that my debts and legacies bequeathed being well contented and paid when how many so ever Negro Slaves servants shall come to the possession right and personal estate of my new loving and Dear Wife Rose being by her enjoyed during her natural life shall after her death be equally divided amongst the children male or female by me on her begotten and whereas in the Margin of this sheet is written mark, with a cross X the intent and meaning is that she take only one out of all).

My will is to establish the said valid as the contents. In witness and confirmation of this my Last will and testament I set my hand to both sheets thereof and to this last have fixed my hand and seal. Seal day, month and year of above written.

Signed sealed and delivered Thomas Gerrard  
in the presence of us  
John Waugh }  
Isaac Allerton }  
John Lee }  
John Cooper }