

John Sumner's Will
Chowan County, N. C.
January Court 1755

Recorded in Book No. 9, page 2.3.4.5.6.7. pd.
Executors: Samuel Sumner and Elizabeth Sumner

Father of Elizabeth Sumner Battle
wife of Elisha Battle

In the raine of God a men/ I John Sumner of Chowan County in the Province of North Carolina, being of perfect memory & minde and calling to mind the uncertainty of this transitory life, do make & ordain this my last will and testament in manner and form following. First I bequeath my soul to almighty God and my body to the earth to be buried at the discretion of my Executors and as for my worldly efforts which it hath pleased God to bestow upon me I give & dispose of as followeth, viz. First my will and desire is that all my just debts be truly paid & discharged by my Executors. It is also my will and desire that my loveing wife Elisabeth Sumner have the use of half my plantation whereon I now live with one half of the land and half the houses thereunto belonging for and during her natural life.

Item I give and bequeath to my son Samuel Sumner my plantation whereon I now live and all the land thereunto belonging containing five hundred acres he not disburbing his mother of what I have defined. I say to my sd son Samuel and his heirs for ever. I also give to my son Samuel my negroes named Mingo & Rofe and Jack (son of Patt) & Amey & Tom (son of Patt) also two feather beds and their furniture four iron potts sorted sixty pounds of new puter sorted one walnut desk one larg oval table one of my larg looking glasses & ___ head of yong & old cattle six sheep a gunn and my riding boots and saddle and twenty five pounds in cash I say to my said son Samuel and his heirs for ever & also give to my sd son Samuel fifty acres of the land I bought of Gregory Stallings joyning upon the aforesaid land as I have already given him also my negro boy named Harri. I say to him and his heirs for ever.

Item I give to my son William Sumner all my land purchased of Joseph Stallings, Gregory Stallings and John Knight excepting the fifty acres given to Samuel and one acre herein given to Jacob to him and his heirs forever I also give to my said son William my negroes namely Duke Tom & Ned which is now in his possession and Peter which I bought of Mr. Speight and Tommey and Loadey to him and his heirs.

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- Item I give to my son Jacob Sumner all my land on the west side of Orapeak Swamp known by the name of Kilmaney together with my mill Dam & Liberty to build a mill also one acre of land joyning to ___ Dam on the east side of the sd swamp together with all my land purchased of Alexander Averett I say to him and his heirs for ever also my negroes namely Dick Esron & Hannah which is now in his possession and Hardey Frank & give to him and his heirs forever
- Item I give to my son Joseph Sumner all my land purchased of Abraham Odum ^{Arts in Edgecombe Co} at Tar River. I also give to my sd. son Joseph my negroes named Pompey York Jonus & Toney her son which is now in his possession and Peter & Patt daughter of Dinah I say to him and his heirs for ever.
- Item I give to my son Moses Sumner all my land purchased of William Webb in Bertie County. I also give my son Moses my negroes named Robin Jonus & Vilett her daughter and Tomey which is now in his possession also Ben and Amey which I purchased of Jos__ Lasitor I say to my son Moses & his heirs for ever. Item I give to my daughter Elizabeth Battle my negroes named Hagor & Hannah Tom and Ned her children which is now in hispossession and also Coffey and Jack also one gold ring and twenty five pounds in cash Virginia currency I say to her and her heirs forever.
- Item I give to my son Samuel Sumner all my shop of Smiths tools and my still & pith kittle to him and his heirs forever. Item I give to my sons namely William, Jacob, Moses, Joseph & Samuel thirty pounds sterling to each and every of them more than is before given and to be paid in good _____ cash I say to my sd sons and their heirs for ever.
- Item It is my will and desire that my loving wife Elisabeth Sumner have and enjoy the labour of my negroes namely Toney Tom Kate Patt Cafer Dinah George Pegg Hannah daughter of Dinah & Sue for and during her widowhood and then to be equally divided a mongst all my children share and share a like according to valuation at her deceas or marriage. It is also my will and desire that my loveing wife have and enjoy the

rest and residue of my estate be it of what nature or kind so ever for and during her widdowhood but and if she happen to marry then to be equally divided between my sd. wife and children namely William Jacob Joseph Moses Samuel and Elisabeth except what cash is left at my wifes marriage or deceas that to be equally divided between my sons share & share a like I say to them and their heirs for ever and lastly I nominate and appoint my loveing wife and my son Samuel Sumner Executors to ___ this my last will and testament fulfilled and I do hereby revoak & dissanul all other will or wills whatsoever heretofore by me made published or declared either by word or wrightin in witness whereof I have here unto set my hand and fixed my seal this eighteenth day of April one thousand seven hundred and fifty years.

(signed) John Sumner Seal

Signed Sealed published and Declared by the Testator to be his last will and testament in the presents of us.

Joseph (his mark) Jones

John Benton

Jesse Campbell

Rofane (his mark) Riddick

Jethro Benton

Saml & Eliz. Sumner

December 5th 1754 for as much as I have in my within will given to my son Jacob Sumner a parcel of land bought of Alexander Avers but as I have not any conveyance from the said Alexander Avers for the said land, I do give to my said son Jacob Sumner Twenty pounds current money of Virginia in lieu thereof or to pay for the same ___ this I declare to be a part of my last will and testament

(Signed) John Sumner (Seal Coroni)

Witness Demsey Sumner

Deceas'd by Mabel Sumner Young