

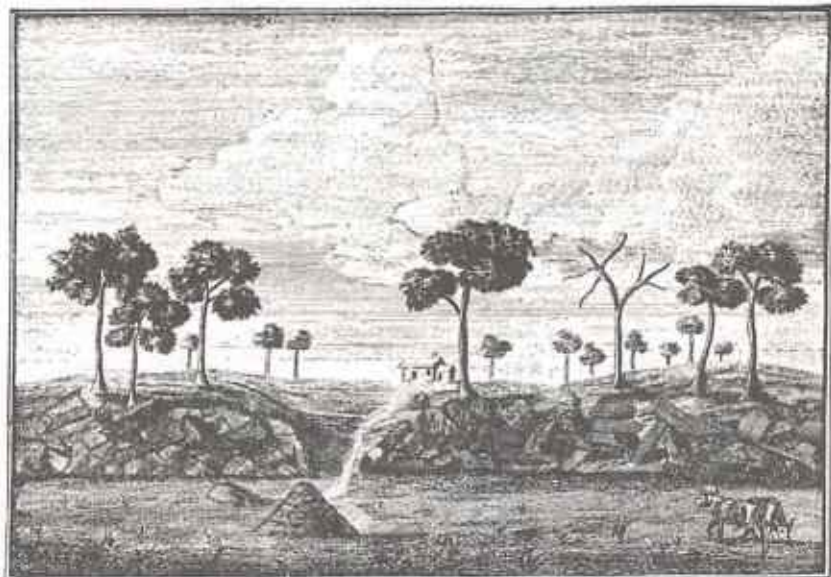
whereas I didn't express in what way they are to be sold to my satisfaction, I do therefore now certify, make known, and request that it is my earnest wish, desire and will that my executors or administrators do not sell them separately, but that they sell them in families, and at private sale to such masters or mistresses, on such terms as they may think most advantageous. In witness whereof I have hereunto set my hand and seal this 30th day of October 1831.

Ann Blackburn
for Sam'l Blackburn (Seal)

Signed sealed and acknowledged in the presence of us—
Walter Richards
Thomas Mayse

"Bath County Court July Term 1835: This last will and testament of Sam'l Blackburn decd with two codicils thereto was presented in court and proved as the will and one of the codicils by Sam'l Clarke and Joseph Cowan subscribing witnesses thereto, and by Thomas Mayse and Walter Richards subscribing witnesses as to the other codicil and ordered to be recorded.

Teste. Chas. L. Francisco, Clerk"



CHALYBEATE SPRING near SARATOGA, New York, 1787...A reproduction of the first picture ever made of Saratoga Springs, originally appearing in the Columbian Magazine of March 1787, accompanying the first printed article on the springs.

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his lawful commission.

"The Residue of my estate of every description not herein otherwise disposed of as from any cause shall fail to pass in the pursuance of the devises and bequeaths aforesaid, I give to my nephews and nieces, that is to such of them as may be alive at the time of my death, to be equally divided amongst them. As the acceptance or rejection of the freedom now offered is to seal the fate of such of my unfortunate people who do reject it and that of their posterity in a state of most hopeless and degrading slavery for perhaps centuries to come, or to restore to their country the land of their fathers from which they have long been exiled such of them as may accept it enrolling them in the ranks of men and citizens from which they have long been expelled, my executors will excuse me when I entreat, they will see this great question fairly put and freely answered uninfluenced by promise or hope of reward or the dread of punishment, & that the names of those who refuse to accept, should such be found, be registered which when certified by my executors to be correct will be entered of record in Bath County with this last will and testament.

"I do hereby constitute and appoint my beloved wife Ann Blackburn executrix my aforesaid friend John H. Payton and Samuel Blackburn, Junior, son of Archibald, Executors of this my last will and testament.

S. Blackburn

"Signed sealed and published in presence of the foregoing will of Samuel Blackburn was read to him & by him acknowledged in our presence, who have at his request and in his presence & in the presence of each other witnessed the same which consists of several sheets pagged from No. 1 to No. 7.

Saml Clarke
Joseph Cowan
Hugh Hamilton

"Codicil to my will: I will to my wife Anne Blackburn, Scarborough and her descendants should she refuse to be transported to Liberia, my carriage and horses are also willed to her, omitted in my original will.

Samuel Blackburn

"This codicil to the last will & testament of Samuel Blackburn was acknowledged by him in our presence who desires us to subscribe our names as witnesses to the acknowledgment.

Saml Clark
Joseph Cowan
Hugh Hamilton

"Codicil: Whereas I, Samuel Blackburn, of Bath County and State of Virginia in the year 1830 made my last will and testament, in which said will I have emancipated and set free all my slaves at my death with a proviso that they should go to the colony of Liberia and that if they or any of them refused to go they are to be sold by my executor as slaves, and

jamin, I give a horse and saddle worth one hundred and twenty dollars for a colt left by him in my possession in addition to what he may otherwise be entitled to—To my nephew, Colonel Robert Bay, son of my sister Elizabeth Bay, wife of Thomas Bay, deceased, my law library being a professional man that is such as in the opinion of my executor pre-eminently claim that character in addition to what he may be entitled to from the division aforesaid— To my nephew the Reverend Gideon Blackburn, son of my brother Robert Blackburn to him and his heirs I give the balance of my library not herein specifically disposed of containing about . . . volumes, in addition to what share otherwise be entitled to on the division aforesaid, on the further condition that he survives me, otherwise this legacy shall lapse and the library be sold by my executors and subjected to the terms of the division aforesaid— To my nephew Samuel Blackburn, son of my brother Robert Blackburn, I give the sum of three hundred dollars in remuneration of his expenses in returning to the State of Tennessee from Virginia, of which I suppose he has remuneration in writing, this is also in addition to his claim under the said division and in full of all claims whatever. — To the Bible Society in Staunton, its present officers and their successors, I give five hundred dollars to be disposed of in such manner as their discretion may deem most likely to subserve the laudable intention of the State or of the United States to supply all destitute families with the Holy Scriptures. — To my nephew Samuel Blackburn aforesaid, I give my sword, my rifle-barrelled, silver mounted pistol. My hunting rifle and two imported shot guns the larger and the lesser with all the accouterments thereunto belonging and are intended to descend with that part of my estate herein devised to him without any deduction on that account. The disposition made in this my will in favor of deserved well-beloved wife Ann Blackburn being liberal and as believed ample were intended as a bar in lieu of dower in the balance of my real estate, yet it is my desire if my said wife should survive me, and wishes to remove to Staunton or elsewhere that my executor pay her annually in lieu of dower on the wilderness plantation the sum of two hundred dollars during her natural life.— Amongst the debts herein recognized and directed to be paid with lawful interest is one to Mrs. Jane Telfair, a loan say of three hundred dollars on which I am entitled to a credit of two hundred dollars for two very fine animals, one horse and a mare, furnished to her son, Dr. Isaac Telfair, perhaps soon after his return from sea the last when removing to the State of Ohio. To Dr. Isaac Telfair, my wife's nephew, I give and bequeath the sum of five hundred dollars being well assured from the arrangements herein made he will possess a much greater portion of my estate than any of my own relations, Samuel Blackburn excepted who has superintended my business for many years. To Mrs. Ann E. Lilly, the wife of Dr. Robert Lilly of Ohio and my wife's niece, I give and bequeath the sum of five hundred dollars. I give and bequeath to John H. Peyton, Esquire, provided he undertakes the execution of my will five hundred dollars in addition to

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mate one acre and fronting the lot owned by Carroll of said town, as also a tract of woodland purchased of Robert Douthat containing . . . acres lying on or near the main road leading from Staunton to Middle River at Bells formerly, and also my undivided fifth part of Washington Tavern in Staunton and of the out lots and woodland bought from the heirs of William Marshall connected and belonging to said purchase together with a tract of land granted to me by patent from the Government of the United States lying in the State of Ohio (Madison County) of about eight hundred and fifteen acres to her and her heirs forever. I further give to my said wife all money or other property which she has received from or on account of the will of her father, the late General George Mathews, or which I may receive or have received from his estate by said will on her account, together with all money or other property which having made herself, she shall have been permitted during my life to use at her discretion and for her benefit and all debts due on account of such money loaned by her. I moreover give her the choice of fifty volumes of my library, my law books and Marshall's "Life of Washington", the latter being herein disposed of, excepted. I also give her my gold watch together with my kitchen and household furniture, including my plate, china, pictures and portrait by Cook.

"The three tracts of land yet undisposed of lying in Bath County, taking them in order they stand on Mill Creek are, 1st, Cloverdale, the old improvement containing . . . acres conveyed to me under a decree of the Superior Court of Chancery held at Staunton; second, the tract called the John Mathews tract containing 458 acres one rood and 35 poles. The third is disposed of to Sammie Blackburn as above. The 4th as they lie on the creek and to be now disposed of is called the upper or Fowler tract, adjoining the land of John Fowler, deceased, and containing 452 acres all however originally belonging to a large tract called Cloverdale. Now it is my will and desire that these three tracts be laid off by my executors as equally as may be, respect being had to quantity and quality and sold by them payable in such installments as they in their discretion may think most advantageous to the Estate which being done the proceeds of the sale are hereby directed to be equally distributed by my executors among all my nephews and nieces, I mean the children of my own brothers and sisters, that is such of them as may be alive at the time of my death. The brick house and lot purchased of Mathew B. Truss in the town of Staunton and County of Augusta together with a lot supposed to contain half an acre and lying in that part of said town called New Town also purchased of the said Mathew will also be sold by my executors and thrown into the common fund for equal distribution among my nephews and nieces that is such as of them as may be living at the time of my death.

"I give to my oldest and now only surviving brother Benjamin Blackburn, should he survive me and only in that event, three hundred dollars, otherwise this legacy shall fall into the residue of my estate and be equally divided as aforesaid— To my nephew, John Blackburn son of the said Ben-

OCCGS REFERENCE ONLY

in a new and I trust a highly improved mode of existence. Among the different sects of professing Christians, which have obtained in this country, I call myself a Presbyterian, not merely by descent, education or accident, but from reflection, inquiry and preference, yet I feel no inclination to shut the door of mercy against any Christian denomination, whatever fault I may find with their supposed errors; who am I that I should condemn man's servant, to his own Master, let him stand or fall—.

"As to the property which it has pleased God to give me I make of it the following disposition:-

"1st. My will and desire is that all my just debts be paid by my executors hereinafter named with convenient dispatch after my decease.

"2nd. That all the slaves of which I may die, seized and possessed without distinction of age or sex be and they are hereby declared free and forever emancipated from all claim to future services to me, my heirs and executors or any of them, and together with their increase to the latest posterity shall be and remain clear and forever discharged from all such claims as aforesaid and as soon as the necessary arrangements can be made by my Executors they shall be transported to the American Colony in Liberia and the expense of transportation be charged upon my estate real and personal. It is, however, expressly and explicitly understood that if any of my slaves aforesaid refuse to accept this boon it will be the duty of my executors and they are hereby requested, so to do, to sell to the highest bidder in terms of the sale all who thus refuse and pause and persevere in the refusal as slaves for life. And here let me admonish and warn those people forever from that state of slavery and degradation in which I found them and in which many of them have long served me.

"3rd. I give and bequeath to my nephew Samuel Blackburn, Junior, son of Archibald Blackburn, to him and his heirs forever all that tract or parcels of land originally purchased by me from Robert Douthat and of Record in Bath County, being part of the tract called Cloverdale and estimated at four hundred and forty-nine acres by the same more or less with all the improvements made there-over and appurtenances therewith belonging, but by two annual installments within the space of two years after my death the sum of one thousand dollars to fall in the residue of my estate. I also give to my said nephew Samuel Blackburn, Jr., and to his heirs Marshall's 'Life of Washington' which from the gratitude and affection I bear to the memory of that great man and the merited confidence reposed in the fidelity of his biographer I have long determined should descend as heirlooms if I may so speak in re to this particular branch of my estate.

"4th. I give and bequeath to my beloved wife, Ann Blackburn, my brick house and lot in the town of Staunton and County of Augusta, purchased from the heirs of Alexander McClanahan described in the plan of the said town with the improvements made thereon and all the appurtenances thereunto belonging as also a lot adjoining thereto containing by esti-

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her children at her death. Likewise I allow my son Archibald to give her one good fifteen or twenty pound horse, only keeping out of that the bond which he, the said Archibald Blackburn, owes to Thomas Bays.

ITEM: - I do give and bequeath to my dearly beloved son John Blackburn my shoe buckles, likewise my great coat and cloth coat and jacoat.

ITEM: - I do give to my son Robert Blackburn my cotton coat and jacoat.

ITEM: - I do give to my son Archibald, my sheep, my great pot, table, and whatever is in Alexander Mathes' hands and other small articles.

I allow to Archibald to clear my debts. And for my executors to execute my last will and testament I appoint, constitute and authorize my trusty and well-beloved sons, Archibald and John Wear as my sole executors, and I do hereby utterly revoke and make void all and every other wills and legends by any ways made by me and I do acknowledge this and none other to be my last will and testament, in whitness whereof I have set my hand and seal the day and year above written.

"Signed, sealed, published and pronounced by the said Benjamin Blackburn as his last will and testament in the presence of us, the under-signed.



(SEAL)

James Cunningham
Jeremiah Robinson
Andrew Hannah "

(A note by the clerk of the court who furnished this copy states that the will was not signed by the testator)

The foregoing will was proved in court by oath of Andrew Hannah, one of the subscribing witnesses thereto, August 1791, and recorded in Will Book No. 1, Page 22, Washington County, Jonesboro, Tennessee.

WILL OF GENERAL SAMUEL BLACKBURN (1751-1835)

"I, Sam'l Blackburn of the county of Bath & Commonwealth of Virginia in anticipation of the lot common to humanity on this first day of June in the year of our Lord, 1830, do make and publish this my last will and testament entirely written by my own hand and sealed with my seal the day and year aforesaid.

S. Blackburn  (SEAL)

"Hereby annulling and revoking all prior wills by me made and published. I die as I trust, a Christian, believing as I must in the doctrine of the atonement by the death, the suffering mediation of the Lord Jesus Christ as delivered to us in the Gospels by his Evangelists and apostles, into whose hands I wish with humble confidence to commit my soul and body with all their vast concerns till it shall please Him to reanimate them