

WILL OF BENJAMIN HARRISON.

In the Name of God Amen!

I Benjamin Harrison* of Berkley in the County of Charles City and Parrish of Westover, Gent., being of perfect sense and memory, ordain this my last will and Testament. Imprimis I Give and bequeath my Soul to Almighty God who first gave it its being, in sure and certain hope of a Joyfull resurrection thro' the death and Passion of my blessed Saviour Jesus Christ, My body to the Earth from which it was first taken, to be decently buried on Berkley Plantation near my little dear son Henry's grave, at the DiscreSSION of my executor hereafter mentioned, and as to all my worldly goods with which it hath pleased the Almighty to bless me my just Debts and Funeral charges being first paid, I Give and dispose of in the following manner:

I give and bequeath unto my well beloved wife one equal third Part of the neet proceeds or profits of my whole Estate during her Natural life, and forasmuch as my wife hath at all times behaved in a most dutifull and affectionate manner to me and all—allways been assisting through my whole affairs, I therefore think proper to Give to my dear wife as a small requital over and above the Thirds of my Estate as aforesaid, the use and occupation of the Plantation whereon I now live, comonly called Berkley, with all the Slaves Properly belonging to the Crop of the said Plantation, with all my household furniture of what kind soever and house Servants, except my Cook wench Patty and her children and the boy levy son of Sarah, which Slaves I would have to go to my son Benjamin on his being of age; I also give to my wife the use of all my plate and kitchen

* Benjamin Harrison, of "Berkeley," Charles City county, was son of Benjamin Harrison, of the same place, who was Speaker of the House of Burgesses and Attorney-General, and his wife, Elizabeth, daughter of Lewis Burwell. The son, Benjamin Harrison, was a member of the House of Burgesses at the time of his death, and in the journal of the session of 1744 is mention of a new writ of election for Charles City, to supply his place. He married Anne, daughter of Robert Carter, of "Corotoman."

Furniture as also the use of my flocks of Cattle, Hogs, Horses and Sheep upon the said Plantation, all which said gifts I give to the use of my Said Dear wife so long as she shall remain a widow or shall abide on or inhabit the said Plantation, with full power to Cut down and make use of any Timber or Wood either for building or repairing, makeing fenceing or firing, or any other use whatsoever for the said Plantation of or from any Part of my Estate in Charles City County Dureing the time aforesaid, she allowing yearly out of her own Estate Nine thousand Pounds of good Crop Tob^o in Nine Cask to be thrown into two thirds of my estate which is hereafter Ordered to be divided amongst my children untill my Son Benjamin shall come to Age but no longer, and after her decease or Nonnresidence as aforesaid the Premisses to go and descend to my well beloved son Benjamin Harrison* and to the Heirs of his Body Lawfully begotten forever. I also Give to my Wife my Coach, chariot chair, Six horses and all Furniture thereto belonging as also all my Saddle horses, Mares and Colts on the Said Plantation, together with her Gold Watch and all Jewels now in her possession.

Item. I give and bequeath unto my son Benjamin Harrison all that Tract of Land commonly called Berkley and Kimadges†

* Benjamin Harrison, of "Berkeley" (1726-1791), signer of the Declaration of Independence, and Governor of Virginia.

† An act was passed by the Assembly in 1752, which recited that John Bland, late of London, merchant, was in his lifetime seized of a tract of land in the parish of Westover, county of Charles City, containing 8,000 acres more or less, known by the name of Kymages; by virtue of a conveyance from Edward Bland, dated March 20th, 1674, and by his last will, dated May 3d, 1680, he devised said land to Sarah Bland, his relict and executrix, and Thomas Povey, Esq., his executor; and that these persons, by deed March 25th, 1681, conveyed to Edward Bland and his heirs 2,000 acres, being part of the said 8,000. The said Edward Bland died seized thereof and died intestate, and leaving a widow, Margaret, and two children, John and Sarah. The said Margaret afterwards married Thomas Tanner and also survived him; the son, John, died intestate and without issue, and his sister, Sarah, became his heir. She married, first, Edward New, late of the county of Charles City (by whom she had a son, John), and married, secondly, Alexander Horton, late of Charles City, deceased. The said Alexander Horton and Sarah, his wife, by deed February 6th, 1722, and for the consideration of 1,530 acres on Hunting Quarter Swamp, Surry county, and £50 sterling, con-

and also that whereon my mother formerly lived as also the Gleebe Land bought of the Parish of Westover in the County of Charles City, to him and his heirs of his Body lawfully begotten Forever. I also Give to my said son Benjamin the land called Bices with the Land Escheated of John Resbie and all my land on the South Side Nottoway River belonging to the Chitiorah Tract and all the additional Surveys made adjacent thereto, and all my Lands at the Falls of James River bought of Davis and others with the slaves and stocks thereon to him and his heirs forever.

Item. I give unto my son Carter Henry Harrison* all my land at Willises Creek with all the Slaves and Stocks thereon, and all the Land called Scotland Neck and the slaves and stocks of all sorts thereon to go and descend accordingly to will of the Hon^{ble} Robert Carter Dec'd.

Item. I Give unto my son Henry† all that estate of Land on the South Side Nottoway River by Peter's Bridge being Seven Plantations with all the Slaves and Stock of all Sorts thereon to him and his heirs Forever, and the Mill thereon, I also give him the Tract of Land lying on Nottoway on the North Side the River at Peter's Bridge to him and his heirs forever.

veyed to Benjamin Harrison, Esq., late of Charles City, two-thirds of the said 2,000 acres and the reversion to the other third; and that Margaret Tanner also, by deed August 6th, 1723, conveyed her life interest in one-third of said land to said Benjamin Harrison, for a consideration of £30 sterling. It is also stated that Benjamin Harrison by his will, dated October 7th, 1743, devised the said 2,000 acres to his son, Benjamin Harrison, who was the present possessor; but as several law suits had arisen, the said John New claiming the land as an estate tail, now in order to settle such dispute Benjamin Harrison the younger agrees to convey to John New 700 acres of land and a water grist mill in Henrico County, and negro slaves to the value of £350 current money of Virginia.

*Carter Henry Harrison, of "Clifton," Cumberland Co., who was a member of the Cumberland County Committee of Safety 1775-6, and of the House of Delegates 1784, &c. He married Susanna, daughter of Isham Randolph of "Dungeness," Goochland.

†Henry Harrison, lived at Hunting Quarters, Sussex Co., and died July 28th, 1772, (*Parish Register*). He married —, daughter of Cyril Avery. For descendants see Appendix to Keith's "Ancestry of Benj. Harrison."

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Item. I give unto my son Robert Harrison* all my several Tracts of Land lying at the Falls of Appomattox River bought of Abraham Cocke, Christopher Herntory, Thomas Williams, James Munford and Richard Smith and the lots bought of Abraham Jones and that in the Town of Petersburg and the Slaves and Stocks of all sorts thereon, and also the remaining Part of Chitecorah Tract lying on the North Side of Nottoway River with the Slaves and Stocks of all Sorts that shall be found thereon, to him and his heirs forever.

Item. I Give unto my son Nathaniel† my land at Amelia Court house and all the Slaves and Stocks thereon. I also give unto my said son my land at Great Creek, and Meherrin (Vizt) the Tract whereon Benjamin Harrison is overseer, that where Clayton is overseer, with all the Slaves and Stocks thereon to him and his heirs forever.

Item. I Give unto my son Charles‡ all my Land Secarnis with all the Slaves and Stocks thereon and the Land called the ——— Allen Tract. I also Give to my said son all the Lands that will fall to me by the death of Mr. Willis (To-wit) Cabbin Point Mill and that at Huntington, with all the Keepers thereof, to him and his heirs forever, and my desire is that there may be Five Slaves bought (Vizt) three women and two men as soon as Conveniently can be to Full slave the three Plantations on Secarnis. And my desire is that so many Slaves as shall be occupied on the Pond Quarter and Black Water, at the death of Mrs. Willis, shall be and belong unto my said son and his heirs forever.

* Robert Harrison was the father of Collier Harrison of "Kittewan," Charles City Co., and Braxton Harrison of "Farmers Rest." For descendants see appendix to Keith's "Ancestry of Benj. Harrison."

† Nathaniel Harrison, born Sept. 30, 1742, died Dec. 24, 1782; married 1st Mary, daughter of Edmund Ruffin of Prince George; 2d Anne Giliam. He was a member of the State Senate 1780, &c., and Sheriff of Prince George 1779-80. For descendants see Appendix to Keith's "Ancestry of Benj. Harrison." A miniature portrait of him is preserved.

‡ Charles Harrison, Colonel of Artillery in the Continental Line, married Mary Herbert, daughter of Colonel Augustine Claiborne, of Sussex county. For descendants, see Keith.

Item. My will and desire is that the mulatto man John shall be for the sole use of my wife so long as she shall be a widow, and that the rest of my Sawyers, Carpenters and Coopers shall be used for the use of my Estate in general until my son Benjamin comes of Age, and then to go to him and his heirs forever.

Item. I give unto my son Robert my Tract of Land on Brunswick Creek, lying at the mouth of Great Creek, containing seventeen hundred acres, be it more or less, to him and his heirs forever. I also give unto my Said son Robert my mill on Harry's Swamp with the Land thereto belonging, being three hundred and Fifty Acres more or less, to him and his heirs forever.

Item. I give unto my son Benjamin all the Negroes and Stocks of all sorts upon the Six Plantations that now are Settled on my Berkley and Kimadges Tracts, to him and his heirs forever; and whereas I have given my Manor House and Plantation to my wife on terms as above to ascertain the bounds, my meaning is that from the upper bounds of the Glebe shall be the Eastward Limits, and from thence as the Shirley road runs to the Ford on Kimadges Creek, containing all the Land between the Glebe Road and the River, and if by Experience that should be found too little I add to it that Land on tother Side the Road called Woodfords.

Item. My will and Desire is that the Land I bought of William Glover whereon my Surry Store stands be sold, and the Slaves thence be Immediately removed to that Part of the Chetecorah tract given my son Robert for him and his heirs forever, and the money arising By the Sale of the Land to be laid out for Negroes for the Same uses, To wit, for the better Settling the same Part of the Chetecorah Tract.

Item. Forasmuch as there are a great Number of Slaves which, after the Death of Mrs. Elizabeth Willis* relict of Henry

* Henry Harrison, of Surrey county, uncle of Benjamin Harrison, of Berkeley (the testator), was appointed to the Council in 1730 and died in 1732, leaving his estate to his nephew, Benjamin, though reserving a large portion to his wife during her life. From the old family bible of the Smiths, of "Shooter's Hill," Middlesex, it appears that Elizabeth, daughter of John Smith, of "Purton," Gloucester, and his wife, Mary

Harrison, Esq., Dec'd, and by the last Will of the said Henry Harrison, are to revert to me and my heirs, my Will and desire therefore is, that when the estate in Negroes shall revert by the death of the Said Willis now in possession, that then the Said Negroes shall be divided into six as equal Parts as Possible, Without Parting men and their Wives, by three able and discreet persons to be appointed by the General Court, which division being made my will and desire is that three already Given to my son Charles go in Proportion to his Part, that my Son Benjamin have the first choice, and the Rest of my six sons to choose according to Seniority, which Negroes I Give to them and their heirs forever.

Item. I Give unto my sons Carter Henry and Henry, to be equally divided between them, all the house hold Plate that belonged to Henry Harrison, Esq., dec'd, now in possession of Mrs. Elizabeth Willis his relect, and after her death to revert to me, as will appear by an Instrument of Writing between the said Willis and myself recorded in Surry Court.

Item. I Give and bequeath unto my Daughter Betty Harrison* one thousand pounds sterling including my mother's Legacy of two hundred pounds that is to say five hundred pounds to be paid by my Executor within Twelve months after she shall arrive at the Age of twenty-one years, or be married, and the other Five hundred Pounds within three years after, and also I Give to my Daughter Betty these several Slaves following and their increase to-wit: Liddy, Charlot and Cate, the Daughter, of Aggy, to her and her Heirs forever.

Item. I Give and bequeath to my Daughter Anne† the sum of one thousand pounds Sterling, Five hundred to be paid by my Executors within Twelve months after she shall arrive to the

Warner, was born May 25th, 1690, and married April 1st, 1708, Henry Harrison. There is recorded in Prince George a deed dated 1738, from Francis Willis and Elizabeth, his wife, and Benjamin Harrison, executrix and executors of Henry Harrison. For epitaph of Henry Harrison, see *Southern Literary Messenger*, IX, 728.

* Elizabeth Harrison married Peyton Randolph, President of the first Continental Congress. Her portrait is preserved.

† Married William Randolph, of "Wilton." Her portrait is preserved.

Age of Twenty-one or be married, and the other Five hundred pounds within three years after that. I also give to my Daughter Anne a negro girl named Dorcas to her and her heirs forever. The Thousand pounds is to be with my mothers Legacy ——— hundred Pounds inclusive.

Item. I Give to my Daughter Lucy Eight hundred Pounds Sterling including my mother's Legacy, to be paid her in four years after She arrives to the Age of twenty-one or is married. I also give to my said Daughter Lucy these Slaves and their increase, to-wit: Aaron, Hannah the Daughter of Tamer, and Martha the Daughter of Bess, to her and her heirs forever.

Item. I Give to my Daughter Hannah Five hundred pounds Sterling including my mother's Legacy, to be paid her within three years after she arrives to the Age of twenty-one or married. Also a negro Girl Suekey, the Daughter of Bess and her increase, to her and her Heirs forever.

Item. My will and desire is that my whole Estate shall be Kept entire until my Debts are paid, and the two Eldest Daughters Fortunes are raised, and until my son Benjamin comes of Age, and then whatever Legacys remain unraised the Estate of Each of my sons shall be Taxed in Proportion to their annual ——— for the Payment thereof.

Item. That the Guardianship and disposal of my children shall be entirely in the Power of my wife, and that they be Maintained and educated at her discession ——— of my estate; of whose prudence I have had sufficient Proof dureing her Life, that if my Daughters dureing their minority Do marry without first having had the Consent and Approval of my said wife, then they or every one of them so marrying shall forfeit all Claims or Pretensions whatsoever to all and every part of the Legacies given them, by this my will, and I doe heartily and Earnestly recommend to my said Children that they behave with Duty and obedience to their mother, and that they live in Love and Friendship with one another, and Lastly I doe hereby Appoint my Dear Wife Ann Harrison, and all my sons as they shall come of Age, Executors of this my Last will and Testament, and I further order that there be no Appraisement of my Estate nor Security given but her own. In witness whereof I have here set my hand and Seal this 17th day of October 1743, and I

utterly revoke all other wills by me heretofore made. This my last containing two sheets of Paper.

BENJAMIN HARRISON. [Seal.]

Signed Sealed &c. in the Pressence of Robert West, Joseph Royall, John Stith.

Charles City County ss.—August Court 1745.

The Afore written Last will and Testament of Col^o Benjamin Harrison Dec'd was Presented in Court by William Randolph Gent and Wife and Miss Betty Harrison, who made oath there and being proved by the oath of Joseph Royall one of the witnesses thereto is admitted to Record, and the said Joseph Royall also on his oath declarad he saw John Stith and Robert West the other two witnesses sign the said will as witnesses, and on the motion of the said William Randolph and Betty Harrison, and performing what is usual on such Cases, Certificate is granted them for obtaining Letters of Administration with the said will annext in due forme Durante Minori estate of Benjamin Harrison Son and heirs of the Deced^t.

Test—

LEWELLIN EPPES, Clk. Curia.

Copy Test—

LEWELLIN EPPES, Cl. Curia.