

To 6 Shoats 25^{ts} 1 Cow and 2 Partridges \$ 1.0.0

424
5.5.0

To 1 Negroe Gard \$ 25

25.0.0

\$ 11.1.3

Samuel^{his} Johnston, Tho^s Triplett, Gilbert Simson Sen^r
mark

At a Court Continued and held for Fairfax County 16 December

1766

This Inventory was returned, and ~~ordered~~ to be recorded

Test

J^r Wagoner Cl. Clur.

In the Name of God, amen. I Thomas Colvill
originally from Newcastle upon Tyne, late of Cecil County
Maryland, but at Present of Fairfax County Virginia, being
at this present very near Seventy eight years of Age, but in per
fect and sound memory do make this my last will and
Testament, Resigning my Soul to its Creator in hopes through
Christ of future Happiness, and my Body to be decently buried,
as I may hereafter mention, or my Executors think fit.
But in the first place, for the better understanding this my said
Will hereafter to be mentioned, it may be necessary to Remind Viz^t
That my Brother John Colvill late of the said County of Fairfax
did by his last will and Testament dated 1755
therein give and bequeath unto the Right Honourable the pre
sent Earl of Tankerville and his heirs forever a large and valu
able Estate in Lands and Negroes lying in Virginia, but with
- all subjecting the said Lands and Negroes (his dwelling Plantati
on and Negroes excepted) towards the payment of all his just
Debts, and appointing me acting Executor to his said last Will.
but the Truth of said Debts being chiefly owing and due to persons
in England, and to myself in Sterling money, full Power was

Therefore given me by the said will for my security, to sell
 and Dispose of a large Tract of Land in Maryland with
 full power to raise the deficiency by a Sale of any of the Virginia
 Bonds or Negroes (not before ^{and payment} Exempted) that I should think fit, for the
 full Satisfaction of all his just Debts; except his Lordship would
 take upon himself the payments thereof, and fully exonerate and
 indemnify ^{me} as Executor thereof. But which he has hitherto refused
 or neglected to do even to this day. Whereupon, as I have above
 mentioned; the Estate of my said Brother John Colvill being justly in-
 debted to me for many years Services and Commissions, in Septem-
 ber Court 1761. held for Fairfax County before whose Justice I
 when I produced the Accounts of my Administration of the said
 Estate, I inserted & exhibited therein my Account of the said debt
 so due to me to the amount of Eight hundred and Twenty nine pound
 seventeen Shillings Sterling, which said Account was then and
 there allowed and adjudged due to me by the said Court. But his
 Lordship's Agent maliciously opposing me herein, appealed from
 the said Judgment to the General Court at Williamsburg, where to
 my very great annoyance and expence, he got it hung up by the arts
 of his Lawyers, till the General Court of April 1763. when on a hearing
 before the said General Court, the Judgment of Fairfax County Court
 as aforesaid was thereby confirmed. And whereas my mo-
 ther Catharine Colvill died at Newcastle aforesaid about May 1719
 at which time I was in Virginia: and by her last Will leaving the
 Chief of her Estate Real and Personal between my said Brother and
 my Sister Esther then the Wife of Capt Matthias Giles, but leaving
 me a Legacy of One hundred Pounds in the said Will making him
 the said John Colvill Sole Executor thereof, But the said John Colvill
 through Neglect or Carelessness, never gave me the least hint of my
 said Mother's Will, nor of any of her affairs, nor my said Sister

So that it was kept intirely from my knowledge for forty odd years. ⁴²⁶
Til accidentally I examined a box of old Papers, many years ago left
in my possession by the said John Colvill and therein found a Corres-
pondence of Letters between my said Brother at London and my said
Sister at Newcastle dated about the months of May and June 1719.
which contained a copy of the said Will, and all other matters relative
to my said Mothers Estate. On which Account at Fairfax County Court
for 1745 I produced to the said Court the evidence of the letters
of Correspondence aforesaid. Judgment was given for my recovery of the
said legacy of One hundred Pounds Sterling, together with interest thereon
from the time of my said Mothers death, amounting at that time to about
three hundred and thirty Pounds Sterling. In the mean time the Agent
(for the said furthering his ill designs and Purposes) had been of a long
time fomenting disputes and Differences between Lord Tankerville and
myself by false reports. Til by a Letter I wrote her Ladyship (the Lady
Tankerville) dated Dec^r 10 1761 matters became better understood and
explained, in such manner that in answer to my said letter, her Lady-
ship wrote me a long letter dated the 5th March 1765. wherein the Vil-
lany of the Agent is discovered, my Lord declared innocent from all
the Causes of my Complaints (which were not few nor small) and a
Reconciliation is desired: which through her Ladyships great Prudence
my belief that his Lordship had been imposed upon by his agent; when
he was so long sick and abroad. And for that my first inclinations to
serve him was not quite effaced, I was willing to accept: and to render
his Lordship my future Services, as her Ladyship in his name earnest-
ly requires. Whereupon in a letter I wrote the Countess of Tankerville
dated the 16 Sept 1765 I inclosed to his Lordship through her hands my
stated accounts against the Estate of my Brother John Colvill contain-
ing among
on a Bal

as the Two Judgments beforementioned, wherein
it appeared to be due to me from the Estate

127. Of my said Brother the summe of £1122. 16. 11 Sterling and £163. 11
current money of Virginia; and to which letter and Account, her
Ladyship answered by his Lordships orders, in a letter dated 9th
Decr 1765 wherein his Lordships is pleased to approve of and ac-
knowledge my said Sterling Debt of £1122. 16. 11 aforesaid, and also
of my current money Charge, adding himself thereto ^{Sterling} to £37. 10. 0
by her own Settlement making the Ballance due to
me from the Estate £1180. 6. 11 Sterl^y. And also his Lordships re-
minded me that I had omitted Charging Interest of the said
£1180. 17. 0 which he desired should be added to the said £1180. 6. 11
and which said Interest from Sept 1761 to September 1766
being five years amounts to £207. 10. 0 added to the said £1180. 6. 11
makes the whole Sterling Account or Debt due to me from the Estate
of the said John Colwell amount to £1387. 16. 11 Sterling. And also in
the said letter signifying his Lordships directions to me imme-
diately to sell such part of the Lands as will satisfy me for the
Debt and Interest aforesaid. But I begin now with Relation to
his my last Will and Testament. And therefore now in regard
of his Lordships generous and ready Settlement of my Account,
And as an acknowledgment of the very great respect and regard
I entertain for her Ladyship, together with my own inclinations
to the Family I do hereby give and bequeath unto the Honourable
Henry Bennet Esquire younger son to the said Lord and Lady the
sum of Seven hundred Pound Sterling; to be Struck off from my
above mentioned Ballance of £1387. 16. 11 due to me from the Estate
as aforesaid, and to be paid by his Lordship, ..., his Heirs, Ex^{rs} or
Administrators unto the said Henry Bennet Esq^r or his Son
at such time as the said Henry shall arrive at proper age to receive
the same, with lawfull interest th^{er} on which said sum of
£700. 0. 0 for the Use of the said, H^{is} off from my account

428

As aforesaid will then leave a Ballance of £607. 16. 11 Sterling 428
being the remainder of the said Debt of £1207. 16. 11 for his Lordship to
Account with my Executors on account of the said Estate and which said
sum of £607. 16. 11 I will that it shall be raised by my Executors out of
the first money arising from the Sale of any of the Lands to the said
John Colville's Estate belonging to be applied together with the rest
of my Estate hereafter to be mentioned, to the Payment of all my
just debts & Legacies hereafter expressed.

I Give and devise to my Beloved Wife Francina, alias Frances
Colville the Plantation whereon I lately lived and the Plantation
called & known by the name of Tom's Quarter near it to include
four hundred and fifty acres in the whole together with the follow-
ing negroes (viz^t) Tom, Isaac, Young Tom, Fan, Jenny, Sue, Nancy,
Sterling & Nace, together with all the Stock of every kind on the said
Plantations, for and during her natural life or... widowhood.
But at the decease of my said wife or widowhood, then my Will is
that the said four hundred and fifty Acres of Land together with
the beforementioned Negroes and Stock, shall fall and belong unto
her niece Sarah Savon and her heirs forever.

I leave the use of my Negro man George unto my wife during her life
or widowhood, and after that Term is expired, I give the said negro
George unto John West &c and his heirs forever.

I leave my negro man Ben (at present an apprentice, learning
the Trade of a Blacksmith) between my said wife & John West jun^r
to be hired out, dividing the Profits between them, but at the decease of my
said wife, then my Will is that the said John West have full
Property in the said Negroe Ben forever. My Will and bequeath
the use benefit and Advantage of Negroes old Abney, Ned, Pinah and
her Children, unto my wife during her natural life or widowhood
after that Term is expired, to be disposed of as will be expressed.

hereafter in this Will. I Give and bequeath unto my
 Wife my negroe woman named Moll to her her heirs or
 assigns for ever. I Give and bequeath unto Benjamin
 Moody Two hundred Acres of Land out of my Accotink
 Tract to be laid out to him as my Executors shall adjudge rea-
 sonable & right. To him & his heirs forever. I Give and
 Bequeath unto the said Benjamin Moody and his heirs forever
 my Young Negroe woman named Daphne. I Give and
 Bequeath unto my Wife all my household furniture includ-
 ing my Clock. I also give her my horse chair & harness, and
 any two horses of mine at Pleas, which she shall choose.
 I Give and bequeath unto my Wife's niece Sarah Savin Two
 hundred and fifty Pounds Current money, and my Negroe Girl
 named Teeny to her and her heirs for ever. I Give and bequest
 unto Ann the Daughter of Capt^m William Ramsay & to her heirs
 forever a Negroe Girl named Sarah, now in her own posses-
 sion. I Give and bequeath unto Sarah Johnston the daughter of
 Capt^m Geo Johnston and to her heirs forever a Negroe Girl named
 Monica. I Give and bequeath unto Catharine the daughter
 of John West jun^d and to her heirs forever my Negroe Girl named
 Nan. I Give and bequeath unto Thomas the son of John West
 jun^d and to her heirs forever my Negroe Boy named Speezer.
 I Give and bequeath unto Isabella Adlinsbury the sum of
 Twenty Pounds Current money. And the use of my Tract of
 Land containing one hundred and fifty eight acres, lying near
 Simmets Run for and during the Term of her Natural life.
 I Give and bequeath unto the Youngest daughter of Mr^r William
 Anderson Merchant in London the sum of Eighty Pounds
 Sterling.

My Will and desire is that my Executors
 do sell so much of the Landed Estate of my deceased Brother

430

John Colwill, as will satisfy and pay all his just debts in
the same manner that I myself have power to do by his Will.

430

My Will and desire is that all the Remainder of my Lands at
Accotink not here before disposed of, be sold by my Executors, together
with the Remainder of my Negroes not mentioned before in this my
Will; in the first Place towards the payment of my debts, afterwards
to be applied to the payment of the Legacies mentioned ahea-
-dy, or to be mentioned hereafter in this Will.

I DO hereby appoint my Beloved wife Hannah Colwill
Washington Esq. and John West jun^r Executors of this my last Will
and Testament, and do by these Presents utterly revoke any other
Will or Wills by me heretofore made.

I Give and Bequeath unto John West jun^r the sum of one hun-
-dred Pounds current money And Whereas in all Probability
my Executors will have considerable Trouble in settling and adjust-
-ing my affairs towards their encouragement.

I Give and Bequeath unto George Washington Esq. the sum of one
hundred Pounds current money - And I Give and bequeath
unto John West jun^r a further sum of one hundred Pounds current
money I Give and bequeath unto my wife my Bay Mare that
was raised at Mr. Digges's. My Will and desire is that at
the Death of my Wife my Negro Woman Dinah and her Children
be sold and that the Money arising by the Sale do go as will be
hereafter expressed My Will and Desire is that my two negro H^h
men Ned and old Abner, after the decease of my Wife.

I Give and bequeath unto my wife eighty pounds current money.
And Whereas my Mother Catharine Colwill had several near
Relations in Durham, of the names of Stott, Mills, Richardson,
and a woman named Catharine Smith. It is my Will and
desire that the Overplus or residue of my Estate when sold as

aforesaid if any surplus thereof be divided into four equal Parts; and that each of the beforementioned Stott, Miller, Richardson and Smith have one fourth part of the said surplus of my Estate. My meaning is, that those of these names the nearest ^{said} related to my mother or their direct descendants, have each, a fourth Part of the said residue, after having made sufficient Proof of their respective relationship to my said Mother, as they enter their several Claims, and make the Proper proofs aforesaid to my Executors within five years after my decease and if they neglect or refuse to do so within that time Then My Will and devise is that the said residue descend unto the Child or Children of John West jun^r in such manner as the said John West shall think ^{fit} to order and appoint. My Will is that my Executors as soon as convenient after my death do send Letters to Durham to inform the said Stott, Miller Richardson and Smith of this part of my Will that relates to them. In Testimony of this ^{being} my last Will and Testament I have hereunto set my hand and affixed my Seal this 10th day of October one thousand seven hundred and sixty six.

The above Will was signed, sealed, and acknowledged to be the last will and Testament of Thomas Colvill Gent. by him in the presence of us.

John Patton
Harry Piper
J^r. Kirkpatrick
W^m Sumner

Thomas Colvill

At a Court held for the County of Fairfax, 11th January 1767. 432

This will was presented in Court by Francis Colvill, George Washington Esq. and John West jun^r. Executors herein named who made oath thereto and the same being proved by the oaths of Harry Piper, John Kirkpatrick and William Plumney three of the Witnesses hereto is admitted to Record, and the said Executors having performed what the Law requires a Certificate is granted them for obtaining a Probate thereof in due form

Teste J^{es} Wagoner Cl^{er} G^{ov}

In the name of God amen I George Johnston of Fairfax County in Virginia Attorney at Law, being sick and weak of body but of Sound mind and memory do make this my last Will & Testament in manner following (Viz³)

Imprimis My Will is that my lots in the Town of Alexandria ~~and~~ my Tract of Land at Hales Marsh in Flanders be sold by my Executors for the Payment of my just Debts.

Item I give to my wife Sarah one third part of the money arising from the Sale of the said lots and Tract of Land, and the third Part of all the rest of my Estate, for and during the Term of her Natural Life.

Item I give all the rest of my Lands to my Sons to be Equally divided amongst them and their heirs forever.

Item I Give to my Son George my Gold Watch my Gold Stock Buckle, Knee buttons and Silver Snuff box.

Item I Give and bequeath all the Remainder of my Estate ^{and wheresoever} whatsoever to be equally divided amongst all my Children both Sons and Daughters and their heirs forever except my daughter Peggy Chastin whose disobedience hath determined me thus to exclude her. Item my Will is that my Daughter Mary may receive an equal Share with the rest of my Daughters.