

THE WILL OF WALTER COLES OF HANOVER COUNTY

In the name of God, Amen, I, Walter Coles, of the County of Hanover, being of sound mind and perfect memory do make and publish this writing as my last will and testament, hereby revoking any will, or wills, heretofore made or executed by me.

Imprimis, it is my will and desire my executors hereinafter named shall from my crops on hand at the time of my death, and my other estate make provision for the payment of all my just and lawful debts; if they shall find it necessary, or consider it would be more productive of the interest of my heirs, to sell any part of my real estate for the foregoing purpose, *i.e.*, the payment of my debts, I give to them the authority to sell and convey by deed the land I purchased of William Fuqua in the County of Hanover lying and being on the south side of the South Anna River.

Item. I lend to my much beloved wife Mary R. Coles during her life, and in lieu of Dower, the free use and possession of the whole of my land on the north-side of the South Anna River in the County of Hanover with appurtenances thereunto belonging, together with my negroes, household and kitchen furniture, stocks of all kinds and plantation utensils which may remain after my executors shall have made such provision as they may consider necessary for the payment of my debts aforesaid.

Item. It is my will and desire that my wife shall as long as she remains a widow out of the profits of the estate lent her as aforesaid support my two children, William D. Coles and my daughter, Elizabeth Coles until they shall come of age, or marry, and that she surrender the surplus of such property after the support of the family at the end of each year to my Executors for the purpose of enabling them to complete the payment of my debts.

Item. Should my wife, Mary R. Coles, think proper to marry again, it is my will and desire when that event shall happen she shall receive from my estate that dower only to which she is entitled by the laws of Virginia.

Item. I give and bequeath unto my daughter, Maria Shelton, the following property which is now in the possession of (William Shelton) *i.e.*, Sam, a young man, Lucy, a woman, Esther, a girl eight years old, Polley, six years old; Thompson, a boy four years old, Rachel, a young woman, Betty a girl about thirteen, one horse, two cows, and calves, four sheep, two feather beds and furniture with steeds, one bureau and one small walnut table to her and her heirs forever.

Item. I give and bequeath to my Daughter, Elizabeth Coles, to be assigned to her, my said daughter Elizabeth, by my Executors hereafter named, when she comes of age, or marry, a legacy equal in value to the one bequeathed to my Daughter, Maria Shelton, at the time she my Sd. Daughter, Maria, receive it and as nearly in kind as my negro estate will admit of at the time of the allotment by my Executors to her and her heirs forever.

Item. I give and bequeath to my son, William D. Coles, at the death, or marriage, of his mother the whole of my land on the north side of the South Anna River in the County of Hanover, together with the residue of my estate of every description after the payment of my debts, and the legacies given to my Daughters, to him and his heirs forever.

Item. Should either of my children die before they come of age or have lawful issue, it is my will and desire that the survivor or survivors or their heirs shall in equal proportion receive the estate herein given and bequeathed to be enjoyed by such survivor or survivors or their heirs forever.

And lastly, I do hereby constitute and appoint my friends Joseph F. Price, Thomas Price, junr., my son-in-law, William Shelton, my son William D. Coles, (and) my beloved wife Mary R. Coles Executors and Executrix of this my last will and testament.

In witness whereof I have hereunto subscribed my name and affixed my seal this 17th day of October anno Domini, 1815.

WALTER COLES (L.S.)

[Witnesses:] Thomas Price, Samuel Mosby, Paul T. Doswell, William Shoemaker, Arch^d B. Dandridge.

Codicil to the Annexed Will

Item. I give and bequeath to my son, William D. Coles, in addition to the Legacies herein given him, my silver watch, to him and his heirs forever.

Item. I give and bequeath to my Daughter, Elizabeth Coles, in addition to the negro legacies herein given to her, a girl named Sally with her future increase, to her and her heirs forever.

In testimony whereof I have hereunto subscribed my name and affixed my seal this ninth day of November, 1815.

WALTER COLES (L.S.)

[Witnesses:] Tho. Price, Paul T. Doswell.

At a Court of Monthly Session held for Hanover County, at the Court House, on Wednesday the 27th of December 1815.

The last will and testament of Walter Coles decd. and the Codicil thereunder written were offered for proof by Thomas Price, junr. and Executor in the said will named, and were proved by the oaths of Thomas Price and Paul T. Doswell, witnesses thereto, and also by the oath of the said Executor, and are ordered to be recorded.

Teste — William Pollard, C.H.C. — A Copy teste, Tho. Pollard D.C.H.C.

Captain Williams Coles (grandfather of the testator, Walter Coles) was the owner of Coles Hill, which he acquired from William Winston, Jr. By deed of 5 September 1771, he conveyed to his daughter Mary Payne, who was the mother of Dorothea Madison, a part of Coles Hill adjoining Allen's Creek containing 176 acres, more or less, for her life, with remainder after her death to his grandson William Temple Payne (Deed Book 1782-1792, page 110). In 1782 this tract was assessed in the name of John Payne, the husband of Mary, as 284 acres. William Coles died *circa* 1781, and the remainder of Coles Hill, which included the house site, was transferred, in 1792, to his grandson Walter Coles, the testator here, as 375 acres. Walter Coles acquired the Payne land *circa* 1793; the transfer being made in that year. Thus Walter Coles, the testator here, became the owner of