

Josell
Will

In The name of God Amen. I Simon Josell of the County of Orange
and Colony of Virginia of perfect mind and Memory Recalling to mind the
Uncertainty of this Life and that all men must die and hereby Testifying and
Disavowing all former and Other Wills and Testaments heretofore by me made
and Declared to make Oursen publish and Declare this my last Will and
Testament in Manner and form following That is to say: First and Principally
Being Sory and Penitent for my sins I Commit my Soul into the hands of
Almighty God in Whose and by Whose Mercy I Trust and Believe to
be Saved and my Body I Commit to the Earth to be Decently Buried by and at
The Direction of my Executors herein after Named And for the disposing of such
Temperal Estate Which at birth I Received God to bestow on me with I desire
and Dispose of the Same in Manner and form following (That is to say)
In Witness Whereof I Give and Devise to my two Children Elizabeth Josell and
Valley Josell all my Estate Both Real and Personal to be Equally Divided
Between them but in Case Either of them Should die without issue of their Bodies
Lawfully Begotten; then I Devise my whole Estate Both Real and Personal to the
Survivor but in Case both Should die without

and Dispose of the Same in Manner and form following (That is to say)

I ~~instruct~~ I give and Devise to my two Children Elizabeth Janet Powell and
Sally Powell all my Estate Both real and Personal to be Equally Divided
Between them but in case either of them should die without heirs of their Bodies
Lawfully Begotten) Then I devise my whole Estate Both real and Personal to the

~~Surviving~~ Both of my Children before mentioned should die without

Issue I give unto Francis Kerbley Junr one Negro Boy named Wiggan and unto

Miss Francis Kerbley Junr and the rest of the Children of my sister Eliza^a Kerbley

and to their heirs all the remainder of my Estate Both real and Personal to be

Equally Divided among them And whereas my wife Martha hath for some

Time past made an Elopement from me contrary to my Will and Desire by

Which Means she has Excluded herself from any right or Title to any

Part of my Estate After my Decease (Whether by the reason her Power by

Law I do not think proper to make any Provision further or any of her

Children there may have some her Dependence from me. And further it is

my Desire that if I should die Before my Children come of Age or Marry that
my Sister Eliza Rutley should have the Care and Rearing of them it is also my Desire
That if my Wife should have a Child after her Departure from me and it should come
and prove itself Lawfully Begotten I give and Devise to her five pounds Sterling
Money and no more And also hereby constitute and appoint Francis Rutley and Eliza
his Wife and Simon Fowell my Mother and Francis Rutley Joint Executors of this my last
Will and Testament Whose of I have hereunto set my hand and Seal this Third
day of January in the year of our Lord one thousand seven hundred and Seventy one
Signed sealed and Published

In presence of us.

Simon Fowell (LS)

James Courney, Joshua Bush

Winifred Courney, John Jones

At a Court held for Orange County on Thursday the 22^d day of August 1771.

This Last Will and Testament of Simon Fowell Deceased was presented into Court

By Francis Rutley and Eliza his Wife and Francis Rutley Joint Executors of the Same

Sigma Noted and Published

In presence of us.

Simon Fawell (LS)

James Cousney, Joshua Bush

Winifred Conway. John Jones

At a Court held for Orange County on Thursday the 29^d day of August 1771.

This Last Will and Testament of Simon Powell Deceased was presented to the Court

By Francis Rutley and Eliz^a his Wife and Francis Rutley Junr Three of the Exors

Thereon named and proved by the Oath of Justice's Bench John Jones & Hm Hartley

Three of the Witnesses there and Ordered to be Recorded and on the motion of Messrs. Editors

Who made oath according to Law Certificate is granted them for obtaining Probate

Therefore in due form they giving Word and Security for the same Whereupon they with

William Bell Grant their Security Entered into and Acknowledged their Bond in the

Sum of £1000 lent Money

Text

Geo Taylor 66th Street