

8 Tolly and Rockbridge County Virginia 18th

Will

In the name of god amen whereas I Christopher Tolly

Ex 1111

Now being a low condition of health but sound in Judgment

and perfect in understanding And therefore calling to mind that

it is appointed one for all men to die I think it necessary and

a grate part of my duty to settle the affairs of my worldly

estate and divide the same with as much justice as possible

I can In the first place I recommend my soul to Almighty

god that give it and my body to be Buried in a Christian

manner Then to my beloved wife Patience I give and bestow

Two horse teams that is to say a sorrel mare and a sorrel horse

Three mch cows half of the meadow and the orchard in the

meadow and two fields that are now in corn with primery

of the dwelling house and set of plow from one of our sheep

stove and window box and spinning wheel with all the furniture

franchise during her life then the the fields and orchard falls into
the possession of my son Samuel. But the other property with its
increas shall be equally divided among all the legatees Also one
Wagon given to her in 3 manner Then to my son John Tolly
I give and bestow one hundred Acres of land being the part of land
he now lives on Then to my son Joseph Tolly I give and bestow
one hundred and forty five acres of land Being the part that he
lives upon Then to my son Christopher Tolly I give and bestow
one Hundred acres of land Being the place he lives upon and the
3 land not being partitioned each legatee shall Bore their part in
proportion of the expence to clear it out of the office for him Then
to my son Samuel Tolly I give and Bestow one hundred and
forty five acres of land Being the part that I live upon also
to my beloved wife I leave the profit of the bound Boy Elisha
Danner which I acknowledge this to be my last

will and Testament this 24 September one thousand eight hun-
dred and four

Test
Arch^d Thomas
Sam^l McQueen
James Colgan

Christopher Tolley ^{Conced}
^{Seal}
^{Test}

At a court held for Rockbridge County October the 6th 1806

The last will & Testament of Christopher Tolley decea-
sed, produced in court and proved by the oath of Archibald Thomas
James Colgan two of the subscribing witnesses thereto, and ordered to
be recorded And on the motion John Carpenter (who alleges to be
one of the heirs of the said Tolley) to have the order of court this
day made admitting the said will to record, set aside which
on hearing is overruled, to which opinion the said Carpenter prays
an appeal to the 1st Day of the next January District court
which is granted accordingly Power reserved in the case of error

conditioned according, The said carpenter by his attorney ten-
dered a Bill of Exceptions, in these words, to wit, "Motion &c."
which was signed sealed and ordered to be made a part of the
record

Teste

Attest Cl
S. H. A.

And at Rockbridge Court December 1st / 1806

On the motion of John Tolly who made
oath according to law, letters of administration of the estate of
Christopher Tolly dec'd with the will annexed is granted to him in
due form he having together with Joseph Tolly Samuel Tolly
his securities entered into Acknowledged Bond in the penalty
of one thousand Dollars, conditioned according to law

Teste

Attest Cl
S. H. A.

Wm
H. A. H. 10