

...my son ... my grandson William Thomas to have all that I have left my son John Thomas after his death

740.

... John Buckner came before me Philip Alexander one of his Majesties Justices of the peace for Staffordshire made oath on the holy Evangelist that you a true and lawful son of Richard Thomas desired him to make his will according to the above mentioned GIVEN under my hand this day the year above written. Philip Alexander

At a Court held for Stafford County March the 16th 1740. This Nuncupative will of Richard Thomas deceased presented into Court by the Ex^{rs} therein named and the same being proved by the Depon of John Buckner is admitted to record. And on motion of the Ex^{rs} they pray for a decree what is usual in such cases certified in and therefor obtaining a probat thereof in due form. Teste R Tyler etc

1740.
16th

In the Name of God amen This ... the day of April in the year of our Lord God 1740. in the twenty first year of the reign of our Sovereign Lord George the second ... of Great Britain France Ireland King Defender of the Faith &c I David Student of the parish of St Paul in the County of Staffordshire Colony of Virginia etc being at present ... perfect health of body & of sound & perfect memory & I do give out these words to God for the same knowing the uncertainty of my mortal life here upon Earth & being desirous to settle my worldly affairs & avoid disputes may hereafter happen about the same & to make the same last will & testament in manner following that to say first & principally I do give

Wth previous consent into the hands of almighty God my Creator
afirmedly believing that I shall receive full pardon & remission
of all my sins & be saved by the precious Death merits & Jus-
tification of my beloved Saviour & Redeemer Jesus Christ: and
my body to the Earth from whence it was taken to be buried in
such decent manner as to my Ex^{ors} hereafter mentioned shall
be thought meet & convenient. And as touching such worldly
Estates as God in his good providence has pleased to bestow upon
me: My will & pleasure is, that the same shall be bestowed and
employed as hereafter by this my last will & Testament is Expressly
AND first for so much the remainder of what remains void all
wills & Testaments by me formerly made & declared & appoint
this my last will & Testament. **In primis** I give devise &
bequeath to my Beloved wife Jane Stuart during her Natu-
ral life her choice of two Negroes for her more comfortable
Subsistance & besides what the Courtiers of England & the Laws
of this Colony provides in such Cases together with my
riding Chair Horse & Harnes all which are to return at
her death & to be equally divided ^{with her three or four other Ex^{ors}} among my Children hereafter
mentioned Viz^t William Stuart, John Stuart, Sarah Stuart
and Charles Stuart. **Item** I give & bequeath to my son
William Stuart six hundred & forty Acres of Land lying and
being upon broad Run in Prince William County together
with four hundred & sixty Acres of Land in Fairfax County
commonly known by the name of Sandy Lake to him & the
heirs of his body Lawfully begotten for ever & failing such
heirs I give & bequeath unto my son John Stuart & the heirs of
his body Lawfully begotten that parcel of Land upon broad
Run aforesaid & the four hundred & sixty Acres of Land in
Fairfax County aforesaid. I give & bequeath to my son Ch^s
Stuart & the heirs of his body Lawfully begotten for ever and
failing such heirs to my Daughters Mary Wapoy and
Sarah Stuart & the heirs of their bodies

Potato of god in his good providence has pleased to bestow upon
me; My will & pleasure is, that the same shall be bestowed and
employed as hereafter by this my last will & Testament is expressed
AND first I do revoke, rescind & make void all
wills & Testaments by me formerly made & declared & appoint
this my last will & Testament. **Item** I give & bequeath
bequeath to my Beloved wife Jane Stuart during her Natu-
ral life her choice of two Negroes for her more comfortable
subsistence & bequeath what the Court of England & the Laws
of this Colony provide in such cases, together with my
riding Chair Horsec & Harness all which are to return at
her death & to be equally divided among my Children hereafter
mentioned Viz: William Stuart, John Stuart, Sarah Stuart
and Charles Stuart. **Item** I give & bequeath to my son
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with four hundred & sixty acres of land in Fairfax County
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heirs of his body Lawfully begotten for ever & failing such
heirs I give & bequeath unto my son John Stuart & the heirs of
his body Lawfully begotten that parcel of land upon broad
run as aforesaid & the four hundred & sixty acres of land in
Fairfax County as aforesaid. I give & bequeath to my son & the
heirs of his body Lawfully begotten for ever and
failing such heirs to my Daughters Mary Wapoy and
Sarah Stuart & the heirs of their bodies Lawfully begotten
& failing such heirs to my next heir at law. **Item** I give &
bequeath unto my son John Stuart & the heirs of his body
Lawfully begotten four hundred & twenty acres of land
in Prince William County commonly called by the name of
the old Key Kidge at the White Marsh in said County.

AND failing such heirs to my son Charles Stuart & the heirs
of his body lawfully begotten & failing such heirs to my son
William Stuart & the heirs of his body lawfully begotten and
failing such heirs to my Daughter Mary Massey & Sarah
Stuart & the heirs of their body lawfully begotten & failing
such heirs to my next heir at Law. I M J give unto my son
Charles Stuart & the heirs of his body lawfully begotten all my
Land & Edifice lying & being in Westmorland & Stafford Counties
and failing such heirs to my son William Stuart & the heirs
of his body lawfully begotten & failing such heirs to my
son John Stuart & the heirs of his body lawfully begotten & failing such
Daughter Mary Massey & Sarah Stuart & the heirs of their
body lawfully begotten & failing such heirs to my next
heir & Law. I M J give & bequeath unto my son William
Stuart a Negro Girl named Judy in view of the will & in part
of Test left him in Legacy by John Allan & died together
with all my Books & papers, which said Negro I bequeath
to be appraised with my other Estate. I M J will & do give
in that my son Charles Stuart have all my Gun powder & 4
Pistols together with my watch & all other my wearing
Apparel of what nature or kind soever. AND I will & do
pleasure is that if my said son John Stuart should return
from Barbadoe & not have to the value of five hundred
pounds from his Uncle Gibbons that then & in that case
there shall be raised out of my Estate one hundred pounds
current money in Order to build him my said son John
Stuart a convenient Dwelling house where he shall judge most
proper upon his land in Dorset William County. AND finally
I constitute & nominate & appoint my beloved wife Jane Stuart
and my loving son William Stuart Executors of this my last
will & Testament. AND I do appoint my said son William
Stuart Guardian to my son Charles Stuart until he arrives
at the age of twenty one years, but not to remove from

Charles Stuart & his heirs of his body lawfully begotten all my
lawful & Edifying living & being in Westmoreland & Shropshire
and failing such heirs to my son William Stuart & his heirs
of his body lawfully begotten & failing such heirs to my
son John Stuart & his heirs of his body lawfully begotten & failing such
sons Mary Massey & Sarah Stuart & the heirs of their
body lawfully begotten & failing such heirs to my next
heir & heir. All which I give & bequeath unto my son William
Stuart a Negro Girl named Judy in view of the will & man & part
of Job's lost him in company by John Allan & died together
with all my books & papers, which said Negro I order not
to be appraised with my other Estate. All which I will & desire
in that my son Charles Stuart have all my Gunpowder & 4
Pistols together with my watch & all other my wearing
Apparoll of what nature or kind soever. And I will & desire
pleasure is that if my said son John Stuart should return
from Barbadoes not have to the value of five hundred
pounds from his Uncle Gibbons that then in that case
there shall be raised out of my Estate one hundred pounds
current money, in order to build him my said son John
Stuart a convenient dwelling house where he shall judge most
proper upon his band in view of William Massey. And finally
I constitute & nominate & appoint my beloved wife Jane Stuart
and my loving son William Stuart Executors of this my last
will & Testament. And I do appoint my said son William
Stuart Guardian to my son Charles Stuart until he is
at the age of twenty years, but not to remove from
his mother if she should happen to live till that time. All which
I leave in company to my Daughter Mary Massey with the
Duty of my said Negro & man & from the Estate of my said
Massey & decessed In Witness whereof I have to this my
hand & affixed my seal day & year first above written.
Charles Stuart 40

Sealed signed & delivered in presence of
Henry Washington Jr. Washington Junr. Bailey
Washington. Walter Williamson

cal And to remove all objections that may happen
or come to happen with respect to this my last will and
Testament & the Executors I give unto my Daughter
Sarah Stuart three hundred pounds as her portion out of
said Estate & I hereby free any part or parts
of the same. Item I give unto my Daughter Mary Mapes
three hundred pounds as her portion out of the same. I hereby
authorize my Executors to take into immediate possession with the
consent of her executors at any time or death together also with
the heirs of black slaves. And I hereby strictly
charge my son William Stuart not to make use of that
Instrument of writing which I sent to Mr. William
Paine the agent in Richmond for if he do so I hereby release him
from any part or portion of my Estate real or personal.
Item my desire is that the Executors have Carried on so far
in building to completely finish out of the first created
my Estate. In Witness whereof I have hereunto
affixed my hand & seal this 10 day of Janry 1740/9
Signed Sealed & delivered
In presence of

David Stuart 18/9

Walter Williamson. Bailey Washington

At Court held for Stafford County March the 16: 1740
The within last will & Testament of the Decd. Mr. David
Stuart was with the Codicil thereunto annexed was pro-
duced into Court by William Stuart one of the Exrs. thereon
named who was read & the same was accordingly allowed. And the Exrs.

David Stuart has not been a person of color nor out of
said State & holding her hereby from any part or parcel
of the same. **Item** I give unto my Daughter Mary May
these negroes to wit an negro man named Aquia Harry
which she may take into Juvenile possession with the
consent of her mother at any time & death together also with
her share of black cattle. **AND** hereby caution & strictly
charged my son William Stuart not to make use of that
Instrument of writing which I sent to Mr. William
Pauker agent in Richmond for if he do so hereby I exclude him
from any part or portion of my Estate real or personal.
Item my desire is that the above should be carried on so far
as building be completely finished out of the first proceeds
of my Estate. **In Witness** whereof I have hereunto
affixed my hand & seal this 20 day of Jan^y 1740/9
Signed sealed & delivered
In presence of

David Stuart 48th 

Walter Williamson. Bailly Washington

At about held for Stators County March the 16th 1740
The within last will & Testament of the deceased Mr. David
Stuart was with the Codicil thereunto annexed was pre-
sented into Court by William Stuart one of the Ex^{rs} thereon
named & was read & Bath. thereunto according to law. And there-
upon being proved by the Oath of John Washington Jun^r
Walter Williamson & Bailly Washington three of the Witnesses
thereof subscribers, and the said Codicil by the Witnesses
thereof admitted to read And on motion of the said Ex^{rs}
for performing what is directed in said last will & Testament is
granted leave for obtaining a probat thereof in due form
Test 16th 3rd Cor. 666