

17. April 1799 ~ Ann Chew, Robert Lyfe, and Andrew ⁹⁵
Wales, Acknowledged this Bond to be their act and Deed
which is Ordired to be recorded.

Teste

Wagoner & Co

I George Mason of Gunston Hall in the parish of
Truro and County of Fairfax, being of perfect and sound
mind and Memory and in good health, but mind-
ful of the uncertainty of human Life, and the impru-
-dence of a man's leaving his Affairs to be settled
upon a death bed, do make and Appoint this my
last Will and Testament ~ My soul I resign
into the hands of my Almighty Creator, whose tender
mercies are over all his works, who hateth nothing
that he hath made, and to the Justice and Wisdom
of whose Dispensations I willingly and chearfully sub-
-mit humbly hoping from his unbounded Mercy and
benevolence, thro the merits of my blessed Savior, a
remission of my sins ~ My Body I desire may
be decently buried at the Discretion of my Exors
herein after named, close by the side of my Dear
and ever lamented wife. and as for all the
worldly Estate with which it has pleased God to
bless me, I dispose of it in manner and form following.
Imprimis It is my will and Desire, and I here-
-by direct and order that all my lands, Slaves with
their increase, Stocks, rents, Crops, Tobacco, and Money
And

And Debts due to me, with the yearly interest arising thereon, with all my other Estate of what nature soever in Virginia Maryland or else where, be kept together and considered as one common stock, for the payment of my Debts and Legacies and the Maintenance and Education of my children, and the payment of their fortunes, untill my said Children respectively come of age or Marry; when and not before each of them is to receive his or her part of the same as herein after respectively devised or bequeathed to each of them; And when any one of my Children shall come of Age or Marry and receive his or her part of the same Accordingly, the residue still to continue and remain in the said common stock untill another of my children shall come of Age or Marry, and so on in the same manner, untill the Youngest of my Children shall come of Age or Marry, and receive his or her part of the same as aforesaid; It being my intention that my Exors shall not have the trouble and perplexity of keeping different Accounts with all my children, but only one general Account for the whole. Item, I give and bequeath unto each of my four Daughters, Ann Mason, Sarah Mason, Mary Mason, and Elizabeth Mason, and to each of their heirs for ever, when they respectively arrive to the Age of Twenty one Years or Marry which ever shall first happen the following Slaves with their Increase respectively from the date of this my Will, To my eldest Daughter Ann the four

(97)

Following Slaves and their increase, To wit, Beck,
the Daughter of Cloe, and her child Frank, mulatto
Priss, the Daughter of Jenny, and Nell, the Daugh-
ter of Occoquan Nell, To my Daughter Sarah the
three following Slaves with their Increase, to wit, Han-
nah and Venus, the Daughter of Beck, and Mu-
latto Mima, the Daughter of Jenny, To my Daug-
hter Mary the following Slaves with their Increase
To wit, Ann and Nell, the Daughter of Mousse Nell,
and little Jenny, the Daughter of Jenny, To my
Daughter Elizabeth the three following Slaves with
their Increase to wit, Nicky the Daughter of Occoquan
Nell, Sarah, the Daughter of great Sue, and Rachel,
the Daughter of Beck, And I confirm unto my three
eldest Daughters, Ann Sarah, and Mary their right
and title respectively to a Negro Girl ^{living} to each of them
by their Grand Father W. William Cilbeck Dec^d to
wit, a Negro Girl named Penny to my Daughter
Ann - a Negro Girl named Priss to my Daughter
Sarah and a Negro Girl named Nan to my Daugh-
ter Mary. But in the mean time, that is until
my Daughters respectively come of Age or Marry,
the Profits of all such the above mentioned Slaves
as shall not be employ'd in waiting upon any of
my said Daughters, or for their use in the House, are
to remain in and be considered as part of the com-
mon Stock for the purpose herein before mentioned
And if any one or more of my said Daughters should
happen to die under Age and unmarried, then and
in that case it is my will and desire and I thereby

Direct and Order that all the Slaves with their Increase herein before bequeathed to such Daughters or Daughters shall go to and be equally divided between my other Daughters, or to the Survivor of them, to be delivered them or her, as herein before directed. I also give to each of my four Daughters One Bed and Furniture, to be delivered them at the time and in the manner aforesaid. Item, I give and bequeath unto each of my four Daughters Ann, Sarah, Mary and Elizabeth, except such of them as may happen to marry and have actually received their fortune in my lifetime, the sum of six hundred Pounds Sterling, out of my money, Debts due to me, & the profits of the Common Stock of my Estate, the sum of six hundred Pounds Sterling to be paid to each of them, without Defalcation or Diminution, when then they respectively arrive at the Age of Twenty one years, or Marry, which ever shall first happen; exclusive of any sum or sums given or to be given to any of them by their Grand Mother Mrs. Lilbeck, or for which I have taken or may take bonds for their use or in any of their respective Names. And if any one of my said Daughters should die under age and unmarried, it is my will and Desire, and I hereby direct and Order that the Money herein bequeathed to such Daughter shall go to and be equally divided between all my other surviving Daughters, such of them as may happen to be of Age or Married at the time, to receive their part of the same and the residue to remain in the common stock, until my other surviving

(99)

Daughters respectively come of Age or
Marry. But if two or more of my Daughters should
happen to die under Age and unmarried, then
and in that case it is my will and desire, and I
herely direct and order that so much of their money
only shall go to my surviving Daughters or Daugh-
-ter as will increase the fortune of each or either of
them to the sum of one Thousand Pounds Sterling
exclusive of their Slaves; or of any money given
them by their Grand Mother Mrs Hilbeck as
-aforesaid to be paid them or her in the manner
above directed; and that the residue shall remain
in the common stock, for the benefit of my four young
-est Sons in the Manner herein after directed.

I Item - I give and devise unto my eldest George Ma-
-son and his heirs for ever, when he arrives to
the Age of Twenty one years or Marry's which
ever shall first happen, my Mansion house
and Seat of Gunston Hall, with all my lands
thereto belonging or Adjoining, being between
five and six Thousand Acres; Also a small
Tract of Land Adjoining to the Land of the Rev.
Mr. Lee Massey, purchased by my Father of
Giles and Benoni Tillet, and in General all
my Lands between Potomack River, Occoquan
river, and Pohick Creek in Fairfax County, ex-
-cepting and reserving unto my Exors the right
and Privilege of keeping three Quarters upon
the said Land, to be considered as part of the
common stock of my Estate, for the Benefit of my

Younger Children, and of working the same number of hands as are work'd at the said three Quarters respectively at the time of my Death, with the right and Privilege of getting timber for the proper use of the said ^{three} Quarters or Plantations on any part of the said Lands. That is to say one Quarter in the bottom of Dogues Neck (commonly call'd the Occoquan Quarter) untill all my sons come of Age, with all the Land which I have usually tended and made use of at the said Quarter, and such other convenient and adjoining Land as is necessary for the ^{use of the} same, and the benefit of suffering all the Stock properly belonging to the said Quarter to range and run at large in the said Neck. And the two other Quarters at Hallowing Point, and upon the Land I bought of William Courts, untill all my sons except the Youngest come of Age; with all the Land between the upper line of the said Tract Bought of William Courts, the river and the great Marsh; and the benefit of All the Stocks properly belonging to the said two Quarters ranging and running at large within the two neck fence; my Executors keeping the said Quarters and Plantations in good Order, and repair and delivering up the same accordingly at the respective expiration of the times aforesaid or when the Crops then growing thereon are finished, unto my said Son George Mason or his heirs. But if my said Son George Mason

Should die under Age and unmarried, it is my will and Desire, and I hereby direct and Order that all the lands herein devised unto him shall go and descend unto his heirs at Law and his Heirs for ever, in the same manner as if my said son George ~~had~~ had been in the Actual Possession of the same before his death, and shall not be divided among my residuary Legates herein after named. Item, I give and bequeath unto my said son George Mason and his heirs for ever when he arrives to the Age of twenty one years, or marries, which ever shall first happen, the ^{above} following Slaves, to wit, Alice, Bob Dunk, yellow Dick, Bob the son of Ocoquan Nell, Peter the son of Great Sue, Judy and Lucy, together with all the Slaves which shall properly belong to and reside at my two upper Quarters in Dogues Neck Adjouing to the Great Marsh at the time of my Death, except such of them as may happen to be any of the Slaves ~~by name~~ specifically bequeath'd to some of my other Children, also all my Stock of horses, Cattle, Sheep & hogs shall properly belong to and be wintered at my said two upper Quarters in Dogues Neck at the time of my Death, with all the Plantation utensils and Implements of Husbandry thereto belonging, also one fifth part of all my Books, and household furniture in and about my Dwelling house. But if my said son George Mason should die before he comes of Age, and unmarried, then and in that case it is my Will and desire, and I hereby direct and Order that all the Slaves as well as all the personal Estate herein before bequeath'd him shall be equally divided between my other surviving sons, and for that purpose shall remain in the common Stock

Until my other sons respectively come of Age or Marry
 Item, I give and bequeath unto my said son George Mason &
 his heirs for ever all my Stock in the Ohio Company as a
 member thereof, together with my share and part of all the
 said Company's Lands; but whatever Ballance, if any at
 the time of my Death, appears by my Books of Acc^t to be
 due from me to the said Ohio Company is to be paid
 out of the Common Stock of my Estate, in the same man-
 ner as any other debts. I also give and bequeath
 unto my said son George Mason my Gold Watch, which
 I commonly wear, also a large silver salver, which
 being ^{an old} piece of family plate, I desire may remain
 unaltered. And I confer unto him his right and
 title to a negro man named Dick, given him by his
 Grand father W^m Ellbeck; and likewise his right and
 title to two Negroemen named Tom and Liberty, ex-
 -changed with him by me for two other Negroemen
 given him by his Grand Mother W^m Ellbeck; also to a
 large silver Bowl given him by my Mother; in which
 all my children have been christened, and which I
 desire may remain in the family unaltered for that
 purpose. And whereas my Son George will soon be
 of Age, and if I should happen to die during the
 minority of my other Children, they will probably
 live with him, and he may not chuse to charge his
 Brothers and Sisters with their Board; Altho' it
 must put him to a considerable trouble and ex-
 -pence; Then and in that case therefore I give
 unto my said son George, whilst my children live
 with him as aforesaid, the right and privilege of
 taking in any Year from any of my Quarters, whilst

(10)

They remain in the Common Stock, such Quantity of 103
provisions for his family's use; and also of employing such
and so many of my house servants in his family, as he
and my other Executor shall judge reasonable and
necessary for the above mentioned purpose, and ade-
-quate to the Expence and trouble thereby occasioned; without
being accountable for the same.

I Item, I give and devise unto my son William Mason and
his heirs for ever, when he arrives at the Age of twenty
one years or Marry's, which ever shall first happen, all
my lands upon chickamuccon and mattawoman Creeks
in Charles County in the province of Maryland, that is
to say all my land in christian Temple Manner, and
my Tract of land called Stump Neck, formerly called
Dogues Neck, with two hundred Acres of land thereto
adjoining, and included in the same orinal Patent;
Excepting and reserving to my Exors the right and
privilege of retaining and keeping in their hands, as
part of the common Stock of my Estate, for the benefit
of my Younger children, until all my sons come of Age,
the last mentioned Tract of Land called Stump Neck,
with the said two hundred Acres of Land thereto =
adjoining, and of keeping a Quarter thereon, and
working the same number of hands for the purpose
aforesaid as are worked on the same at the time of
my Death. I Also give and devise unto my said
son William Mason and his heirs for ever, in like
manner, a Tract of one hundred and fifty Acres of
Land, whereon George Adams now lives, near Port
Tobacco in the said County and province; the same

Being one moiety of a Tract of Land called Partnership. And if my son William should die before he comes of Age and unmarried, then and in that case I give and devise all the above mentioned Lands upon Chickamuckon and Mattawoman Creeks unto my youngest son Thomas Mason and his heirs for ever. And the above mentioned Tract of Land near Port Tobacco (upon which George Adams lives) I give and devise unto my son Thomas Mason and his heirs for ever.

Item, I give and devise unto my said son William Mason and his heirs for ever, when he arrives at the Age of twenty one Years or Marry's, which ever shall first happen, the two following Slaves, to wit. Mully, the Daughter of Kate, and Sampson, the son of Mrs. Elbeck's Bess, also one fifth part of all my Books, and household furniture in or about my Dwelling house. I also give and bequeath unto my said son William my silver Watch, which I formerly used to wear, and I confirm unto him his right and title to a Negro Lad named Cato given him by his Grandfather W. Elbeck.

Item, I give and devise unto my son Thomson Mason and his heirs for ever, when he arrives at the Age of twenty one Years, or marry's, which ever shall first happen, all my Lands in Thompson's Patent (repatented in my own name) Between Dogues run and the South Branch of Little Hunting Creek; excepting and reserving to my Executors the right and privilege of selling two Quarters with eight working hands at each upon such parts

Hereof as they shall think fit, unless the said Quarters
 shall be settled thereon by me in my life time, and of
 retaining and keeping in their hands one of the said
 Quarters to settle by me or them with land thereto
 adjoining sufficient to work the hands belonging to the
 same, as part of the common stock untill all my sons
 come of Age, I also give and devise unto my said son
 Thompson Mason and his heirs for ever, in like man-
 ner, all my Lands upon both sides the North Branch
 of Little Hunting Creek, contained in Thomas Staf-
 ford's Patent, Thomas Sandiford's Patent (repatented
 in my own Name), George Brent's Sale to William
 Bourne, and part of Ball's Patent which I bought
 of W. Sampson Darrell; Also all my lands in Mason's
 and Meryford's Patent upon the Branches of Dogues
 run and Accotinuck, being one moiety of the Land
 devised by my Grandfather Col. George Mason Dec^d
 to his Daughters Elizabeth and Rosanna, also a
 small Tract of Land contiguous thereto, originally
 Patented by one William Williams, and Purchased
 by my Father of Winifred Ball Daughter and heir
 at Law to the said Williams, it being the land whereon
 Edward Niolett lived, also a Tract of about fourhun-
 dred Acres of Land Patented by my Father upon the
 upper side of Dogues Run, adjoining to Mathews's
 Patent; and in general I give and devise unto my
 said son Thompson Mason and his heirs for ever, when
 he arrives at the Age of Twenty one Years or Marry,
 which ever shall first happen, except as before excepted,
 all my lands upon the Branches and Waters of Dogues
 run and Little Hunting Creek in Fairfax County

Being in the whole about three Thousand three hundred Acres. And if my said son Thomson Mason should die under age and unmarried then and in that case, I give and devise all the above mentioned Lands in Thompson's Patent, Between Dogues run and the south Branch of little hunting Creek / being about thirteen hundred Acres / And also all the above mentioned Lands in Stafford's and Sandiford's Patents, in George Brent's Sale to William Bourne, and part of Ball's patent which I Bought of W Sampson Darrell, being about seven hundred Acres upon both sides the North Branch of little hunting Creek, unto my Youngest son Thomas Mason & his heirs for ever. But it is my will and desire, and I hereby direct and order that all the other lands herein before devised unto my son Thomson Mason shall, if he die under Age and unmarried, as aforesaid, go and descend unto my eldest son and heir George Mason and his heirs for ever, in the same manner as if my said son Thomson had been in the actual possession of the same before his death.

Item. I give and devise unto my said son Thomson Mason and his heirs forever, when he arrives at the age of twenty, one years, or marries which ever shall first happen, the two following Slaves, to wit, Sally (the Daughter of Lucy, and Joe (the son of Mrs Eilbeck's Refs) also one fifth part of all my Books and household furniture in and about my Dwelling house. And I confirm unto my said son Thomson Mason his right and Title to a Negro lad named Cupid, given him by his Grandfather W. Eilbeck.

107

Item, I give and devise unto my son John Mason and his heirs for ever, when he arrives at the Age of twenty one years or marrys, which ever shall first happen, all my lands adjoining to and near rock creek Ferry upon Potomack River; that is to say the Lands contained in Thomas Ousley's, Thomas Gowing's, and my Father's Patent (all repatented in my own name), with the lands I purchased of Ellis and Bradie, and of Daniel Jennings, and a small Tract of Land I took up as Vacant Land between my other Tracts, and in general all my Lands between four mile run and the lower falls of Potomack river, in the Parish and County of Fairfax, being about two thousand Acres. I also give and devise unto my said son John Mason and his heirs for ever, in like manner, my Island in Potomack river, opposite the mouth of rock creek, which I hold under a patent from the Lord proprietor of Maryland by the name of Barbadoes. I also give and devise unto my said son John Mason and his heirs for ever in like manner, all my Lands upon and between the main south run of Accotunck and the branches of Difficult run, in the upper end of Truro parish in Fairfax county, patented by my Father, with a small Tract of Land thereto adjoining, patented in my own name, being together about two thousand Acres. And if my said son John Mason should die under Age, and unmarried, then and in that case I give and devise all the above mentioned Lands between four mile run and the lower falls of Potomack river, together with my before mentioned Island of Barbadoes, unto my

Youngest son Thomas Mason and his heirs for ever. But it is my Will and Desire, and I hereby direct and Order, that all the other Lands herein before devised unto my said John Mason, upon and between the main south Branch of Accotink and the branches of Difficult run shall if he die under Age and unmarried as aforesaid, go and descend unto my Eldest son and heir George Mason and his heirs for ever, in the same manner as if my said son John Mason had been in the actual possession of the same before his Death.

Item, I give and bequeath unto my said son John Mason and his heirs for ever when he arrive at the Age of twenty one Years or marry's which ever shall first happen, the two following Slaves, to wit, Harry, the son of house Poll, and Peg, the Daughter of Chlooe, also one fifth part of all my Books and household furniture in and about my Dwelling house.

Item, I give and Devise unto my Youngest son Thomas Mason and his heirs for ever, when he arrives at the Age of Twenty one Years, or marry's which ever shall first happen, all my land upon the lower side of Occoquan River, patented by my Father and Col^d Robinson, together with the right and benefit of keeping the Ferry over Occoquan from both sides of the river, which has been vested in me and my ancestors from the first Settlement of this part of the Country and long before the Land

109

There was taken up or patented; also all my lands upon the branch of Neabscoe, purchased by my Father of Mr. Ann West; also all my land upon Potomack River in Cock Pit Point Neck; also all my land upon the upper side of Chappawamsic Creek; and in general all my Lands in the County of Prince William. I also give and devise unto my said son Thomas Mason and his heirs for ever, when he arrives at the age of Twenty one years or marries, which ever shall first happen, all my Lands adjoining to each other upon Goose Bay and Potomack river in Charles County in the Province of Maryland, being four different Tracts; the lower most called St. Venidets, Originally granted to Bennett Marchegray, the next called Masons fields - Patented by my Mother Mr. Ann Mason; the next interfering with Masons fields, a Tract of one hundred and fifty Acres, without any particular name, whereon Henry Fletcher formerly lived, who purchased the same of Henry Aspinalls, to whom it was Originally granted; and the upper called Fletchers Addition, Originally granted to the said Henry Fletcher; and in general all my Lands between Chickamuxon Creek and Goose Bay in the said County and Province. And if my said son Thomas Mason should die under age and unmarried; then and in that case I give and devise all the above mentioned Lands between Chickamuxon Creek and Goose Bay in Charles County in the Province of Maryland unto my son William Mason and his heirs for ever. But ^{as} is my Will and desire, and I hereby direct and Order that all the other Lands herein before

Devised unto my said son Thomas Mason in the County of Prince William and Colony of Virginia, together with the right and benefit of keeping Occoquan Ferry, shall if he die under age and unmarried as aforesaid, go and descend unto my eldest son and heir George Mason and his heirs for ever, in the same manner as if my said son Thomas had been in the actual Possession of the same before his Death.

Item I give and bequeath unto my said son Thomas Mason and his heirs forever, when he arrives at the age of Twenty one years or Marries which ever shall first happen, the two following Slaves, to wit, Jack, the son of House Nell, and Daphne the Daughter of Dinah, also one fifth part of all my Books, and household furniture in and about my Dwelling house.

Item I give and bequeath unto my said son Thomas Mason the sum of six hundred pounds Sterling to be paid him when he arrives at the age of twenty one years or Marries, which ever shall first happen, out of my money and debts due to me, and the profits of my Estate, if so much remain in the common Stock, after the payment of my Debts, and Legacies, the maintenance and education of my children, and the payment of my Daughters fortunes, and if there is not so much as the said sum of six hundred pounds Sterling, then whatever lesser sum there is remaining in the said common Stock. And last the manner in which I have limited and directed the descent of some of my Lands should occasion any dispute

(111)

Or induce any opinion that I intended to entail them; I hereby declare that it is not my intention to entail any part of my Estate upon any of my children; but to give all and each of my sons, when they respectively come of Age or Marry, an absolute fee simple Estate in all the Lands respectively devised them, and in all such Lands also as any of them may happen to take by the death of any of their brothers, the common legal descent of some of my Lands being herein before altered, only in case any of my sons to whom such Lands are respectively devised should die under Age and unmarried, while their Lands remain'd in the common stock of my Estate, and had not yet come into their actual possession. And whereas I hold sundry Tracts of Land in the County of Hampshire in Virginia, and in the County of Frederick in the Province of Maryland, near Fort Cumberland, patented in my name in Trust for the Ohio Company, I Authorize and direct my Executors ^{the same} to convey, by such Deeds as Counsel learned in the Law shall advise, with special warranty only against my heirs, and all claiming under me, unto the said Ohio Company, upon their paying the ballance of my bond with the Interest thereon, due to Mr. Bladen, or to Mr. Tasker's Executors for the purchase of part of the said Lands, so that the said bond may be taken up and cancelled, and my Estate indemnified therefrom; excepting and reserving

Unto my eldest son George Mason and his heirs
for ever my part and share of and in the said lands
as a member of the said Ohio Company.

Item, all the remaining part of my slaves, with their
increase, stocks of all kinds, and Money, and debts,
due to me, Crops, profits and all other personal Estate
whatsoever in the common stock not herein other-
wise disposed of I give and bequeath unto my four
youngest sons, William, Thomson, John, and Thomas,
whom I make my residuary Legatees; and their
heirs for ever, to be equally divided between them,
when and as they respectively arrive at the Age of
twenty one Years or marry, which ever shall first
happen. And if one or more of my said four young-
est sons should die under age and unmarried,
then and in that case it is my will and desire
and I hereby direct and order, that all the
Slaves, together with all the stocks, Money or other
personal Estate whatsoever bequeathed to such
son or sons, or which he or they would have been
entitled to upon coming of age or marrying,
shall be equally divided between the survivors
of all my five sons, George, William, Thomson, John
and Thomas; such of them as may happen to
be of age or married at the time to receive their
part of the same, and the residue to remain
in the common stock until the others respectively
come of age, or marry, or shall go to the survivor

Of my five sons, if only one of them should live to come of age or marry. And if any of my sons or Daughters should happen to marry and die, during the minority of their Brothers or sisters, leaving a child or children behind them, it is my will and desire and I hereby direct and Order that such child or children shall receive the same part or portion of the Estate which the parent or parents would have been entitled to upon the death of any of my sons or Daughters respectively, under age and unmarried as aforesaid. And whereas there is in my hands as Executor to ^{William} Mr. Elbecke Dec^d a considerable sum as will appear by my Account with his Estate which by his will is bequeathed to and divided among his Grand children, my children, which I am answerable to them for and have a power of laying out for their benefit; and as I have herein not only given much more to each of ^{my} said children than their respective shares of his Estate in my hands amounts to, but have disposed of both that and my own Estate among them all, in order to make the best provision in my power for them all, and if any of ^{my} children were notwithstanding to claim after my death their parts of their said Grandfathers Estate in my hands, over and above what I have given them, it would occasion much confusion, and alter the disposition which I have herein before made to the prejudice and injury of some of my children, I do therefore declare that what I have herein before given unto all and each of my said children is

Inclusive of, and in satisfaction for what was due to them from me as Mr. Elbeck's Executor, And that the several Devises Requests and Legacies herein devised bequeath'd or given to each of my said children are upon express Condition of each of them respectively releasing and discharging my Estate and Executors from any claim or demand on Account of the balance due from me to ^{the said} Mr. Elbeck's Estate of Accounts already settled or to be settled ^{with} the Commissary in Maryland; and if any one or more of my said children, when they respectively come of Age, should refuse to release and discharge my Executors accordingly; then and in that case it is my Will and desire, and I hereby direct and Order that all the Estate herein by me given to such child or children shall be forfeited, and shall go to and be equally divided among my other children, and their heirs forever. And as there are Debts due to me to a considerable amount by Bond, the Yearly Interest of which will be a great advantage to the common Stock of my Estate, I desire and direct my Executors to continue the said debts upon Interest, either in such hands as they shall be in at the time of my Death, or in such other hands, and upon such other Security as they, in their discretion, shall judge best, until the money shall be wanting from time to time for any of the purposes by me directed; and likewise to ^{be} let out upon Interest such Money as can at any time be spared out of the Profits of my Estate.

(115)

I Also authorize and direct my Executors to settle a Quarter or Quarters upon my Land between Dogues run and the south branch of Little hunting Creek as herein before mentioned; unless the same shall have been settled by me before my death; when they shall think it most for the Interest of my Estate so to do; as also upon any of these ^{other} Lands herein devised to either of my three youngest sons, Thomson, John, or Thomas, either with any slaves that can be spared from my other Quarters or Plantations, or with Slaves to be purchased by them for that purpose, with any Money that can be spared out of the common Stock of my Estate, without interfering with my Daughters' fortunes, or with the Money bequeathed unto my youngest son Thomas; all which Quarters and Slaves are to be considered as part of the common Stock for the purpose before expressed. — I likewise empower and direct my Executors to erect Marble Tomb Stones over the Graves of my honoured Father and Mother and my Dear wife; if the same is not done by me in ^{my} life time. And that no dispute or difficulty may arise to my Executors or my children about the manner in which that part of my Estate given to my residuary legatees is to be divided among them, I hereby declare it to be my will and intention that when each or either of them comes of Age or Marry's, he is to receive ^{his} part or portion thereof, as it stands at such time respectively (always having regard to and reserving a sufficient sum of my Money and debts still in the common Stock to pay the Money that may thereafter be due to any of my Daughters for their fortunes, as well as the Money bequeathed to my

Youngest son Thomas Mason) so that any of them after having received and withdrawn their parts from the common Stock, are not to be entitled to any share of the subsequent increase or profits thereof and consequently not to any of the Slaves that may afterwards be born or purchased, nor liable to any loss that may happen therein: except such part of the common Stock as may happen afterwards to fall to him by the death of some of their Brothers or Sisters. Yet the fortunes herein given to my Daughters in Money are to be secured to them notwithstanding at all events; and in case of any deficiency in their said fortunes by failure of Securitys, or any other inevitable Accident, the same is to be made good, in equal Proportion by all my residuary Legatees, as well those who had before, as those who had not received their parts out of the common Stock. And I appoint my good friends the Rev^d. Mr. James Scott, the Rev^d. Mr. Lee Massey, Mr. John West Jun^r. Col^o. George Washington and Mr. Alexander Henderson, when ever it shall be necessary, to make such estimation division and allotment to and among my several residuary Legatees; And it is my Will and desire, and I hereby direct and Order that such Estimation Division and allotment as they or any three of them, shall from time to time make, and give under their hands and Seals shall to all intents and purposes whatsoever be conclusive and binding upon my said residuary Legatees and their heirs. I hope they will be so charitable as not to refuse undertaking this trouble for the sake of a friend who when living

(117)

Would cheerfully have done them any good Office in his Power. ~ I recommend it to my sons, from my own Experience in Life, to prefer the happiness of independance & a private Station to the troubles and vexations of Public Business; but if either their own inclination or the Necessity of the times should engage them in Public Affairs, I charge them, on a Fathers Blessing, never to let the motives of private Interest or Ambition induce them to betray, nor the terrors of Poverty and disgrace, or the fear of danger or of death deter them from asserting the liberty of their Country, and endeavouring to transmit to their posterity those sacred rights to which themselves were born. ~

I release and remit unto my Brother Thompson Mason and his heirs for ever, a certain debt of three hundred & ten pounds four shillings and five pence $\frac{3}{4}$ Sterling and Nine pounds twelve Shillings and four pence Currency due to me on Account of Money Advanced for him many Years ago, while he was in England, for which it was never my intention to make him Answerable, as will appear by an entry to that purpose in my own hand-writing annexed to the Account in my Book. And whereas my Brother is indebted to me a further considerable Sum on Account of a Protested Bill of Exchange drawn by him, and of a Bond I paid for him to Mr Bronaugh's Estate, I desire and direct my Executors not to bring any Suit against him for the recovery of the said Debt, But to wait until he can conveniently pay the same. ~ I give and bequeath unto Mrs Heath, the wife of Thomas Heath of Stafford County the Sum of forty Shillings

Sterling, in first Cost of Goods, a Year, during her life to be
 laid out for her in necessarys for her own particular use.
 And if her son Mr. Richard Hewitt, my old school fellow
 and acquaintance from my childhood, should unfortunate-
 -ately be reduced to necessitous Circumstances, I desire
 and direct my Executors to supply him with necessarys
 for his support and maintenance out of my Estate:
 And I particularly recommend this care to my chil-
 -dren, if it should be necessary after they come of Age.
 I give to Mr. John Moncure a Mourning ring of three
 Guineas Value, which I desire him to wear in memory of
 my Esteem for my much lamented friend his Deceased
 Father. I desire my old and long tried friends the
 Rev.^d Mr. James Scott, and Mr. John West Junr each of
 them to accept of a mourning ring of the same Value.
 I leave to my friend and relation the Rev.^d Mr. Lee Mas-
 -sey a Mourning ring of the same Value: And I intreat
 the favor of him to advise and assist my Executors in
 the direction and management of my Affairs; I am
 encouraged to request this of him from the experience I
 have had myself of his good Offices that way; and I
 am satisfied that both he and my worthy friend Mr.
 Cockburn will excuse the trouble I now give them, when
 they reflect upon the Necessaty that dying men are un-
 -der of thus imploying the care and kindness of the living;
 which must also one day be their own case; and as the
 most acceptable Acknowledgment I can make them, I desire
 them to receive out of the common Stock of my Estate the

(119)

Sum of ten pounds a year, to be laid out by them in private charities, upon such as they shall judge worthy objects. I also give to my cousin Mr Cockburn a mourning ring of the same Value; And I desire her and my Cousin Miss Bronaugh, and Mr Cockburn to accept of a Suit of Mourning each. Lastly I appoint my eldest son George Mason and my good friend Mr Martin Cockburn Executors of this my last will and Testament, and Guardians to my children, until they respectively come of Age. And it is my Will and desire, and I hereby direct and Order that no Securitys shall be required of them by the Court, but only their own Bonds Taken for the performance In Witness whereof I have to this my said last Will and Testament, all in my own hand Writing, and contained in fifteen Pages, set my hand and Affixed my seal this 30th day of March in the year of our Lord One Thousand Seven hundred and Seventy three.

Signed & sealed & published

& declared to be the last Will and Testament of Mr George Mason, in our presence, & Subscribed by us in his presence.

Gu^{ts} Scott, Elizabeth Bronaugh

Ann Cockburn, John West Jun^r

Rob^t Graham, John Davidson

At a Court Court^{and} for Fairfax County 16th October 1792
This Will was presented in Court by George Mason one of the Executors therein named who made Oath thereto and the same being approved by the Oaths of Ann Cockburn, and

Robert Graham is admitted to record and the said Court
having performed what the law requires in such cases a
Certificate is granted him for obtaining a probate there-
of in due form.

Drawn
by Oliver
Graham

Test.

P. Wagoner

In the name of God amen I Daniel
McCarty of Truro Parish and County of Fairfax in
the Commonwealth of Virginia being of sound mind
and memory and being also mindfull of the uncer-
tainty of human life and that it is appointed for
all men once to die do make and appoint this my
last will and testament First I resign my soul
into the hands of my creator in whose mercies I confide
for remission of all my sins thro the merits of my blessed
saviour and redeemer Jesus Christ and my body to be
decently buried (without any pomp) at the discretion
of my Executors herein after to be named and as for my
worldly estate with which it hath pleased God to
bless me I dispose of the same in manner & form
following In primis I give unto my dear and loving
wife Sarah McCarty the use of all my estate both
real & personal during the term & continuance of her
remaining my widow except such legacies as shall