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 In the Name of God Amen. William Fitzhugh of Washington County and the  
 of Maryland being in the Seventy sixth year of my Age tho' not in perfect health of mind  
 memory and sense praised be Almighty God for the same do Make constitute and ordain  
 this my last Will and Testament. First recommend my soul to Almighty God in hope in  
 confidence of a glorious resurrection thro' the Merits of our blessed Saviour and Redeemer  
 Jesus Christ. and with respect to the worldly Estate with which it has pleased God to  
 bless me after my just Debts are paid do dispose of in the following Manner (you say)  
 I give and bequeath to my Son William Fitzhugh to him and his heirs forever two  
 thousand Acres of Land lying in Fayette County in the State of Kentucky on  
 Tipton Creek it being part of a tract of Land containing twelve thousand Acres  
 by patent adjoining Richard Grahams Survey of Eighty thousand four hundred  
 six and a quarter Acres, not having heretofore provided for him equally  
 with my other Sons, and having had his services in the transaction of all my  
 Business. I also give and bequeath unto my said Son William Fitzhugh to him and his  
 heirs forever the following Slaves and their increase, Sucky, Charles, Betty,  
 Muryan, Sucky, Toby, Fanny, Black Belt, Carpenter James, Mandette, Ben, Mill James  
 & Legue of his Wife, Ned, Tom, Hato his Wife. Also all my Cattel, Horses, Mules, Cows  
 and Stocks of every kind whatsoever except what I may hereinafter devise  
 Also all my Carts, Waggons & Plantation Utensils of all kind, and my learning & papers  
 I give and bequeath to Ann Fitzhugh Wife of my eldest Son my Negro Boy Jaius and  
 my riding Horse whatsoever

I give and bequeath to my Grand Daughter Rebecca Ann Fitzhugh to her and her heirs  
 forever One thousand Acres of Land lying in Fayette County Kentucky it being  
 part of a tract of Land on Tipton Creek out of which I have devised two thousand  
 Acres to my Son William. I likewise give and bequeath to Rebecca Ann Fitzhugh  
 to her and her heirs forever, the following Slaves and their increase, Nancy &  
 Fanny & their Children, Henry & Rebecca, Black Rose & their Children, David & Ellen  
 Adams & their Children, Sucky, Sarah & Rachel & James Allen  
 now living at the furnace. Also my salt Whitestockings & my Silver Metal -

I give and bequeath to my Grand Son William Hughes Fitzhugh to him and his  
 heirs forever One thousand Acres of Land lying in Fayette County Kentucky it being  
 part of a tract of Land of twelve thousand Acres on Tipton Creek before mentioned a part  
 of which I have before devised to his Father and Sister. I also give and bequeath to my  
 Grand Son William Hughes Fitzhugh my Negro Boy Stephen -

I give and bequeath to my Grand Son Daniel Hughes Fitzhugh to him and his  
 heirs forever, One thousand Acres of Land in Fayette County Kentucky it being  
 part of a tract of Land containing twelve thousand Acres on Tipton Creek of  
 which I have herein before devised to his Father, Sister & Brother -

I give and bequeath to my Grand Son Samuel Hughes Fitzhugh to him and his heirs forever One thousand Acres of Land in Kentucky in Fayette County it being part of a tract of Land containing twelve thousand Acres on Tipton Creek part of which I have herein before devised to his Father, Brothers and Sister. Also give and bequeath to my Grand Son Samuel Hughes Fitzhugh my Negro Boy Jofe and my Negro Girl Patience - -

I give and bequeath to my Grand Son Daniel Hughes Fitzhugh herein before mentioned my Negro Boy Jervis -

I give and Bequeath to my Grand Son James Fitzhugh to him and his heirs forever One thousand Acres of Land it being part of a tract of Land containing eight thousand Acres lying Mason County Kentucky in which I am concerned with the heirs of Richard Graham, and with my son Peregrine Fitzhugh which tract of Land is hereafter particularly described. Also give Bequeath to my said Grand Son James Fitzhugh my Negro Boy Lewis - It is my desire and I do hereby direct that the profits arising from the Slaves herein devised to the Demandants of my son William Fitzhugh go to my said son for his use until my said Grand Nephew Marry or Arrives at age and that he shall not be Accountable to any One for their hire or services -

I give and bequeath to Rachel Traben for her long and faithful services in my Family and for which I think she has not been fully compensated my Negro Girl Frank -

Whereas by Mistake my son Peregrine Fitzhugh had six thousand Acres of Land included in a patent which I issued in my Name for twelve thousand Acres lying on Tipton Creek in Fayette County Kentucky and adjoining Richard Grayhams Survey of eighty thousand four hundred six and a quarter Acres. If it should not be done in my life time I do direct my Executor to convey to him his heirs and Assigns forever the said six thousand Acres -

Whereas I hold Twenty thousand Acres of Land in the County of Fayette and State of Kentucky it being the third part of sixty thousand Acres taken up in Partnership with Richard Graham now Deceased and Alexander Johnson and patented in our Names which Lands have been since Marked out by us upon the plat of Survey only into Lots of six thousand six hundred & sixty six Acres and two thirds of an Acre each ~~with the said Richard Grayhams~~ and divided between us as will appear by Mutual Deeds between us proved and recorded in the Office of the General Court of Virginia, the whole of the said Twenty thousand Acres of Land I authorize and empower my

Executor hereafter named to sell upon Credit or for ready Money as he shall Judge most Expedient for the purposes of this my Will hereafter mentioned and the same to the purchaser to convey in fee simple and out of the Money arising from the sale of the said Lands I devise to the Children of my son George Fitzhugh the Average price of three thousand Acres the same Equally to be divided between them Male and female -

To the Children of my son Peregrine Fitzhugh the Average price of three thousand Acres to be equally divided between them Male and female -

To the Children of my son John Fitzhugh the Average price of three thousand Acres to be equally divided between them Male and female -

And to my Grand Daughter Rebecca Ann Fitzhugh Daughter of my son William the Average price of six hundred sixty and six Acres and two thirds of an Acre But in case my said Executor should not during his life sell and dispose of the said Twenty thousand Acres of Land by virtue of the Authority I have her day given, Then

I give to the Children of my <sup>said</sup> son George Fitzhugh three thousand Acres of the said Land to be laid off in my North East lot of the same, which lot contains six thousand six hundred and sixty six Acres and two thirds of an Acre the three thousand Acres I give to the Children of my said son George and their heirs equally to be divided between them as tenants in common -

To the Children of my son John Fitzhugh and to their heirs as tenants in common I also give three thousand Acres part of the last mentioned North East Lot. The residue of the said North East Lot be the same more or less I devise to my Grand Daughter Rebecca Ann Fitzhugh and her heirs forever -

And to the Children of my son Peregrine Fitzhugh and to their heirs equally to be divided between them as tenants in common I devise the three thousand of the said Twenty thousand Acres to be laid off for them upon that lot of mine as marked in the aforesaid division which shall be nearest to low Creek -

Whereas I am interested in a survey or surveys in Kentuckey for eight thousand Acres of Land in virtue of an entry made in the name of Judson Colledge now Deceased and in which entry Richard Graham and myself were intended to be equally concerned and which entry was only intended to be for six thousand Acres but by mistake the warrants for two thousand Acres belonging to Peregrine Fitzhugh were used for us which has made the survey or surveys contain eight thousand Acres, and Judson Colledge having declined having any interest in the said lands and his heir at law having assigned his interest in the said lands as follows. two thousand Acres to the said Peregrine Fitzhugh, and six thousand Acres to Richard Graham and myself from whence it follows in Justice that I am entitled to only three thousand Acres, my son Peregrine Fitzhugh to two thousand Acres. and

and the representatives of Richard Graham to three thousand Acres, But to  
 settle all disputes and for the purpose of doing Justice my Will is that if in  
 Law I have any title to the two thousand Acres of the said Land which in Justice  
 belong to my Son Peregrine Fitzhugh I give and devise the same to my  
 said Son Peregrine Fitzhugh and his heirs forever

And the three thousand Acres of the said Land to which I am according to the above  
 Statement properly entitled (except) One thousand Acres thereof which I  
 have herein before devised to my Grand Son James Fitzhugh together with  
 all the rest and residue of my estate Both real and personal not herein  
 before specifically devised the same in possession remainder  
 or expectancy or of what nature or kind soever it may be and wheresoever  
 it may be I devise the same to my Executor hereafter named and his heirs for the  
 purpose in the first place of paying my Debts and if there be any residue  
 for the purposes herein after mentioned

It is my desire and I do direct that the Bond arising from the sale of my other  
 Lands in Virginia and all other Bonds of every kind whatsoever, and the Debts due  
 me, and the other property which I have left subject to the payment of my Debts  
 be applied to that purpose before any of my Lands in Kentucky (except) the Family  
 thousand Acres herein before mentioned taken up with Richard Graham & Thomas  
 Johnson be disposed of and in case it should not be necessary to sell it, and the prop-  
 erty which I have directed shall be applied to the payment of my Debts be found  
 sufficient therefor, and there should be any Surplusage, I do then give and bequeath  
 the said Surplusage in the following manner to the Children of my four Sons George  
 Peregrine, William & John viz - To the Children of my Son George Fitzhugh one  
 fourth part, to the Children of my Son <sup>50</sup> Peregrine Fitzhugh one fourth part, to the  
 Children of my Son William Fitzhugh one fourth part, and to the Children of my  
 Son John Fitzhugh one fourth part to them and their heirs forever

Whereas my trusty slave Jack aged about fifty years when he was taken  
 by the Enemy in the late revolution refused to go with and making his  
 escape from them returned to me as a Mark of Gratitude for his faithful-  
 ties and Attachment to me, I do now the said Slave Jack free at my  
 Desire, and I do earnestly recommend to my Son William Fitzhugh in case of said  
 Slave Jacks being reduced by Sickness or any other Cause to afford him such  
 Assistance and Support as may be necessary for his relief & Comfort.

Reflecting on the very Great Loss I have sustained by the British.

21st)  
Compared my distresses and reduced Circumstances, Occasioned thereby  
how much I was exposed by my local Situation at a time when circum-  
stances of the State rendered her unable to protect and defend her faith-  
full Citizens how particularly I was Marked by the Common Enemy &  
Consequences of the part I had taken for the Good and Safety of my Country, and  
supporting two Sons in the Continental Army, and relying as I do upon the  
Good faith Justice and humanity of this State, and the United States for a  
Compensation to my Family for such Losses and Damage, I do desire my Execu-  
tor hereinafter mentioned and named to petition the General Assembly of  
this State, and the Congress of the United States in the most humble and earnest  
Manner at every succeeding Session until such Compensation be obtained

I do hereby give to my Executor hereafter named full Power and Authority  
to sell and dispose of any part of my real and personal Estate or of both or either  
of them as may appear necessary and most conducive to the Interest of the said  
for the payment of my Debts, provided Nevertheless that it is my intention  
and Intention and I do hereby direct that the property whether real or per-  
sonal herein before devised specifically to the several <sup>before</sup> mentioned  
persons in this my Will <sup>before</sup> particularly mentioned or described shall  
not be sold for the payment of my Debts until all the Wholes of the said  
Estate of my Estate both real and personal be sold and applied in discharge  
thereof - If my Executor shall sell any or all of the property either real or  
personal which by this my Will he is Authorized and empowered to sell  
upon a Credit which in his discretion he is hereby Authorized to do by  
this my Will, and I do hereby devise that my said Executor shall be and will  
be Answerable in his own property for any Loss that may happen in such Sale  
either by Insolvency or other inability of the persons with whom he may so contract  
to fulfill the same, and I do further devise that if by such Loss there  
should be a deficiency to pay my Debts, and thereby make it necessary for  
my Executor to appropriate to that purpose any part of the Money herein  
before devised to my Grand Children and Charges upon the Fealty <sup>thereof</sup>  
Criers of Land in that respect taken up with Richard Graham and Peter  
Johnson, then my Will is that the Legacies so devised to my Grand Children shall  
be proportionably applied to make up such deficiency -

As a Compensation to my Executor for the great trouble which he will  
have in the Execution of this my Will, I give and devise to him a Commission  
of ten Percentum upon all Monies which he shall actually pay either in

discharge of my Debts Legacies and I do further Direct that my Executor shall be paid Any Expences which he may incur by attending the sale of any part of my property and in the Execution of this my Will, I also direct that my said Executor shall not <sup>pay</sup> any of the Money Legacies herein and hereby devised for the space of six years after my Decease but that he shall hold the same during that time ready to discharge my Current debts that may come against my estate, and that during the time he shall so hold the same he shall not be Accountable for the interest thereof to any of my said Legatees

And Lastly I do constitute and appoint my son William Fitzhugh Executor of this my last Will and Testament revoking and annulling all former Wills by me heretofore made ratifying and confirming this to be my last Will and Testament

In Testimony whereof I have hereunto set my hand and affixed my seal this Twenty sixth day of January in the year of our Lord One thousand seven hundred and Ninety Eight

I have sealed published and declared by William Fitzhugh the within named Testator as and for his last Will and Testament in the presence of us who at his request in his presence subscribed our Names as Witnesses thereto

his  
 William X Fitzhugh Testator  
 Mark

N. Rochester, Th Sprigg, Kennedy, Owen, Jos. Sprigg

The erasure in the 21 line of this my Will following the word increase and in the 34 line following the same word increase made before signing and acknowledging this Will of N. Rochester, Th Sprigg, Kennedy Owen, Jos Sprigg

Washington County, Va. On the 13 day of February 1793 I saw William Fitzhugh and made Oath that the within instrument of writing is the true and whole Will & Testament of Wm Fitzhugh late of said County Deceased that hath come to his hands or possession, and that he doth not know of any other. On the same day I saw Thomas Sprigg, Kennedy, Owen two of the subscribing Witnesses to the within last Will and Testament of Wm Fitzhugh late of said County Deceased & severally made Oath on the Holy Evangelists of Almighty God, that they did see the Testator herein named sign & seal this Will that they heard him publish, pronounce and declare the same to be his last Will & Testament, that at the time of his so doing he was to the best of their Apprehensions of sound and disposing mind Memory and understanding and that they respectively subscribed their Names as Witnesses to this Will in the presence and at the request of the Testator and in the presence of each other and that they saw Nathaniel & Rochester and Joseph Sprigg - the other two subscribing Witnesses do the same

Certified by Thomas Bellamy