

**Hugh Adams' Last Will and Testament along with Court Records**  
**Transcribed by Emily Crawford**  
**August 22, 2013**

[In the] name of god, I Hugh Adams of the county Rockbridge & the state of Virginia of sound mind and disposing memory. Being disposed to make a somewhat different disposition of such worldly possessions as providence has bestowed upon me from what the laws of this State would make should I die intestate Do hereby make ordain constitute and appoint this my last will & testament hereby revoking all former wills by me made.

1<sup>st</sup> I will and direct that all my just debts & funeral expenses be paid. In this item I intend to designate my wish in regard to my funeral expenses. I desire a metallic coffin to be procured and also that I be buried in decent clothing and if I should not have a suitable suit at the of my [death] I allow my Executor to procure one, and I allow a [illegible words] monument to be erected the price to somewhat discre[partially illegible] [with] my Executioner I suppose the cost to be from [illegible words] to four hundred dollars – And it is my it is my [illegible words] buried at New Providence meeting house even if I [loss] die away from home [2<sup>nd</sup>] I will and direct that all the shares that I may be the owner of at the time of my decease with the exception of old Sylla and Joe shall at the expiration of such time as my executioner can bring my affairs into such condition as to afford the necessary outfit herein after named to emancipated and sent to the Colony of Liberia. but in no event is their emancipation to be delayed beyond 18 months from the time of my decease I wish them to be continued on the farm under the direction of some suitable maneger, until the earliest period that my wishes with regard to them can be carried into effect. I allow Rosa, Andy Isabella and Jenny Linn each at the time they are ready to start for Liberia to receive five hundred dollars and Sylla Jane fifteen Hundred dollars. the money in the this clause [loss] Jenny Linn ( She being under age) I allow to be [loss] mother for her the paid jenny Linn – but if she

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shall have attained to the age of Sixteen years when [loss] payments are to be pain then . the said Jenny Linn is to draw that money herself. In case the money is paid to Sylla Jane I allow her receipt to my executor to be received as a voucher in the settlement of the estate.

3<sup>rd</sup> I will and bequeath to my brother John Adams of Missouri Four Hundred dollars to be paid as soon as the other provisions of the Will, will make it convenient. for my Executor to do so but in the case the said John Adams die before I do then this legacy [is] to be divided equally between his daughters Susan and Sally.

4<sup>th</sup> I will and bequeath to my nephew Horatio Lindsey son of Thos. & Mary [illegible letter]ane, the sun of Three Hundred Dollars.

5<sup>th</sup> I will & bequeath to my niece Mary Jane daughter of Patsy Rea of Indiana the sum of three hundred dollars – I [loss] bequeath to the second daughter of Samuel & Patsy Dixon [Rea] [loss] sum of three hundred dollars.

6<sup>th</sup> I will and bequeath to my neighbor Hou[*partially illegible*] [loss] sum of one thousand dollars.

7<sup>th</sup> For the maintenance of my Slaves Old Joe and [loss] I set aside the piece of land and buildings I bought from [loss] bell. if they can support themselves on it they are to do so, if they cannot my executor can make such disposition of that property as he may find most expedient for their support.

I will and direct that all my estate both [real] and personal except what is herein otherwise disposed of as soon as convenient after my decease be sold by my executor and that all the surplus arising from said sale and any other source to my estate after paying my debts, and the pecuniary legacies herein named be equally divided amongst all my slaves except the grandchildren of Rosa and Sylla Jane and old Sylla and Joe. But should said surplus be insufficient in the Judgment of my Executor to give to each of said slaves a suitable [loss] according to what is usual to go to Liberia and en[*partially lost*] for the usual time after their first arrival there, [loss]

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[loss] is to be made from each of the specifick pecuniary legacies left to the slaves. It is my will that should any of my slaves die or abscond before they are to receive the legacies or portion herein bequeathed to them, that said Legacies or portions shall lapse or revert to my estate. I will and bequeath to Narcissa Magdeline now in Liberia the daughter of fanny formerly my slave, the sum of three Hundred Dollars, which I allow my executor to transmit to her. I will and direct that my Slaves Rosa and Sylla be allowed to draw for their children that are under 16 years of age, the legacies, that are left them out of the surplus after paying specific legacies before mentioned those of their children that may be over 16 years I allow to draw for themselves. I hereby [constitute] and appoint Robert Hutcheson and my nephew Hugh [loss] my Executor of this my last will and testament.

[loss][*partially lost*]timony whereof I have hereunto subscribed my name [loss] my seal this 24<sup>th</sup> day of August 1857

Hugh Adams [ *wax seal drawing* ]

[loss] Patterson  
S. W. Gilkeson  
James M. Beard.

At Rockbridge Circuit Court September 14<sup>th</sup> 1857.

The last will and testament of Hugh Adams deceased was proved by the oaths of Andrew Patterson and James M. beard subscribing witness thereto, and is ordered to be recorded. And on the motion of Robert Hutcheson one of the executors named in said will who made oath thereto and together with William Buchanan, Hugh Adams, Thomas M. Lindsay & Montgomery

Buchanan his securities (who justified as to their sufficiency) entered into and acknowledged their bond in the penalty of Forty [loss] thousand dollars Conditioned as the law directs, certificate [loss] him for obtaining a [probat] of the said will in [loss] Hugh Adams is the other executor named in said

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will in open court refused to take upon himself the [loss] the execution thereof, & ordered tht said bond be recorded.

Teste

Saml. M. W. Reid clk

At Rockbridge Circuit Court April 14<sup>th</sup> 1860.

Robert Hutchenson Executor of Hough Adams decd. Plaintiff  
against

John Adams, Mary Jane Rea, ----- Dixon second daughter of Samuel and Patsy Dixon, Hugh Adams & other Defendants.

This cause coming on this day, to be further heard upon the paper formerly read, and the second Report of the Master Greenlee Davidson, made in [illegible word] of the decretal order of the 16<sup>th</sup> of September last, without exception thereto, w[partially lost] argued by Counsel. And it is appearing from the Master's report, that the slaves of the Testator, Hugh Adams [loss] late of Rockbridge County Virginia, emancipated [loss] are Nineteen in Number to wit: Sylla Jane aged [loss] 45, Andy 31, Henry 24, Mary 22. Joshua 21, [loss] Susan 16, Edmonia 15, Sally 13, John 134, Jenny Lind 16, Howard 8, George 8, Alsy 6, Esther 4, Fanny 3, Rosa 2, and Serena 8 months. And it appearing further, that the said Rosa is entitled as directed by the said Will. to receive the several distributive shares of her children Edmonia and Sarah who are under the age of sixteen years, and that the said Sylla Jane is entitled, as also directed by the said will, too receive the several distributive shares of her children, John, Jenny Lind, Howard, Alsy, and Fanny, as well also, the specific legacy of \$500.00 bequeathed by the said Will, to the said Jenny Lind. And [it] appearing further that George, one of the emancipated Slaves, is but eight years of age, and that his mother is dead and his father a Slave. And it appearing further, from the said Report, and from the statements of the several [accounts] the Plaintiff, and the said emancipated slaves [loss] -sented on the 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup>, and 17<sup>th</sup> [loss]

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[loss] that the following balances are due them respectfully, on the 12 instant: to wit: to the said Sylla Jane and her five infant children, John, Jenny Lind, Howard, Alsy, and Fanny \$1518.03, to the said Rosa and her two children Edmonia and Sarah \$ 479.90, to the said Henry \$277.06, to the said Isabella \$717.28, to the said Mary \$ 185.28, to the said Susan \$ 221.53, to the said Andy \$ 545.99. to the said Joshua \$199.00, and to the said George \$296.75. And it appearing further, from the said Report, that the said Emancipated Slaves, with the exception of George have, since the 1<sup>st</sup> day of January 1859,

contracted divers mercantile accounts, which have been filed before the Masters, but which the Plaintiff declines to pay, until adjusted, and payment [loss] is ordered, by the Court. But inasmuch as the Plaintiff [loss] on the 16<sup>th</sup> instant, with the said Emancipated [loss] Baltimore, where they will embark, for the Republic [of Liberia] the 20<sup>th</sup> instant. And as the said [Mer-] [loss] accounts, cannot be enquired into, and adjusted, [loss] departure of the Slaves from the Country, the Court will [loss], under its control, such portion of their funds, as may be necessary, to satisfy the said mercantile accounts, should their payment be adjudged proper, upon the reference, and inquiry, hereinafter directed. and the Master having, with this view, presented on the 18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, and 21<sup>st</sup> pages of his said report, alternative statements of the Plaintiffs accounts, with the said emancipated slaves, in which he has retained out of their several portions of the fund, such sums of money, as will be sufficient, in the aggregate, to discharge the said accounts, if it be found right to pay them, which sums, thus to be retained, if it be found right to pay them, which sums, thus to be ordained, will remain in the hands of the plaintiff, subject to the order of the court, by which alternative statements, the balances, now [loss] to the said Emancipated slaves, are as follows to [loss] Sylla Jane and her five infant children under the [age of ] 16 \$ 1325,74, to rosa and her two children, Edmonia

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and Sarah \$ 384.72 , to Henry 4 165. 30, to Isabella 4677.78, to Mary \$134.97, to Susan 4194.62, to andy 4 378. 34, to Joshua 468.14, and to goerge 9 who has contracted no accounts) \$295.75 as ascertained by the masters first statement. On consideration whereof the court approving the Masters said second Report, modified, as it is, by his alternative statement, on the 18<sup>th</sup>, 19<sup>th</sup>, 29<sup>th</sup>, and 21<sup>st</sup> page thereof, and his several recommendations contained therein, doth ratify and confirm the same. And it appearing to the court that the said slaves have been duly registered as free persons of color, on the County Court of Rockbridge, and have received their freedom papers, in due form, and properly authenticated, it is decreed and ordered , that the said slaves be discharged from slavery and that the Plaintiff in execution of his Testore Will take [the] necessary steps, for the then removal to the Republic of Liberia. And the court having made an order at the last [loss] cause requiring all persons having claims [loss] the Testator, to appease here, on the first day of the [loss] term, and show cause, if any they can, against the [loss] and delivery of his estate to his legatees. And it appearing a copy of the said order, has been duly published for four successive weeks, in the Gazette, a newspaper printed in the town of Lexington, and posted at the front of the courthouse of Rockbridge County, on the first day of two successive terms, of the Court of said County. And no person having appeared to show cause against the payment and delivery of the Testators estate, to his legatees , except Gilkeson & [McNutt] and A. M. Carson whose mercantile accounts, are filed with the Masters Report, and are deducted

from the several amounts, due the legatees as ascertained in his alternative statements thereof. It is therefore decreed and ordered, that the Plaintiff, do pay, to the Testators legatees, the several Balances, ascertained by the Masters said Alternative Statement, to be now due them, , without requiring from them [loss]ding Bonds, which balances, are the sums now payable [loss] saud Legatees, after retaining, in the hands of the [loss]

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[loss] sum, to satisfy the said merchantile accounts, should their payment, be hereafter directed. It is therefore adjudged, ordered, and decreed, that the Plaintiff, do pay to the said Sylla Jane, for the use of herself and her five infant children, John, Jenny Lind, Howard, Alsy and Fanny, the sum of \$1325.74 : to be paid Rosa, for herself and her two infant children Edmonia and Sarah the sum of \$384.72, to the said Henry, the sum of \$165.30; to the said Isabella, the sum of \$677.78; to the said Mary the sum of \$134.97; to the said Susan the sum of \$194.62; to the said Andy , the sum of \$677.78; to the said Joshua the sum of 68.14 ; (these being the balances ascertained by the said alternative statemen, and to the [loss] infant George the sum of \$296.75. And the Plaintiff [thereby] directed, to deliver the said emancipated Slaves, [under the] care of the American Colonization Society, either as [loss] [of] Washington, or City of Baltimore, as may be met [loss] to their sailing on the 20<sup>th</sup> instant, in its [loss] Liberia. And notwithstanding the letter of directing payment of the said last mentioned [loss]of money to the said emancipated Slaves, the Plaintiff is further directed, not to pay the said sums of money, thus decreed, into their own hand, but to their credit respectively , with the American Colonization Society, at its office or agency, either at Washington or Baltimore, as may appear most proper. He is however at liberty, in his own discretion , to furnish any of the said Slaves, such sums , as may appear to him, proper for pocket money. And in making his final settlements with the emancipated Slaves either at Washington or Baltimore, he will take the [acquittances] for the several sums, herein decreed at the foot of the full statements of the his several accounts with each as stated in the Master said report and modified in his alternative statement, which acquittances, in addition to being[loss] severally by the slaves who are over 16 years ( Rosa, [Sylla] Jane, signing severally for themselves and infant children. [[loss] Jane. countersigned by the proper agent of the

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American Colonization Society, who will certify that [in] several sums thus receipted for by the said Slaves have possessed to their credit respectively, with the said Society, and are to be applied to their use, according to its rules and regulations. And there being no parent of the Slave George, who is 8 years of age, to receive his share of the fund, the Plaintiff, will pay it to the American Colonization Society for his use; should the said Society however

decline to receive on trust more of the fund coming to the Slaves, than is necessary for their removal to Liberia. the Plaintiff is authorized if he thinks it proper to do so to retain in his hands any surplus of their fund subject to the order of the court. And the Plaintiff will make a report of his proceedings, under this decree, to the next term of the Court, returning with [loss] Report his [acquittances] for the several sums of money [loss] by him to the said emancipated slaves.

And the Master having presented [illegible words] [loss] his said Report a Statement of the proceeds of [loss] Bell Truet, which was designed by the Testator for the sup[partially illegible] [loss] of his Slaves, Old Sylla and Joe; the [illegible word] proceeds of [loss] sale are \$827.04, on the 12<sup>th</sup> instant, which sum he reports as sufficient, for the support of old Sylla, for having did, and therefore recommends its investment for that purpose. On Consideration whereof, the Court approving the said Statement, and the Masters recommendation doth order that Henry A. Firebaugh the purchaser of the said [Bell Tract] do pay to the General Receiver of the Court, his several bonds, filed with the Report of Sale, of said Tract, as they fall due. Upon receiving which, the Receiver will loan out the same, our good security, subject to the order of the Court. And the Court will hereafter, make such order as may be proper for the application of the interest thereon, to the support of Old Sylla, during her [[loss] and upon the falling in of her life estate, the Court [loss] determine, whether the fund will pass to the Testators kin, or fall into the residue of his estate – bequeath[partially lost]

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[loss] And it is further decreed and ordered that the cause stand refered to one of the Masters of the Court, who is devoted to take our account of the [illegible word]—and disbursements—from the foot of his account passed and confirmed at the this term. And he will examine and enquire into the several accounts filed by Gilkeson & Mcnorth and A. M. Carson for articles supplied to the said emancipated Slaves, since the 1<sup>st</sup> of January 1859, and report such facts as may be necessary to enable the Court, hereafter to decide upon the propriety of their allowance. Which accounts the Master will take, state, settle, and report to the court with any other matters specially stated deemed pertinent by himself or which may be required by any of the parties to be as stated

[loss] Virginia Rockbridge County [illegible word]

I Joseph G. Steele Clerk of the Circuit Court[loss][ illegible words] Rockbridge in the State of Virginia do [loss] that the foregoing is a true Transcript from [the proceeds] of the said [Court.

In testimony whereof I herto setmy hand and annex the seal to the said court this Sixteenth day of April One thousand eight hundred and Sixty.

Joseph G. Steele clerk

Virginia. Rockbridge County [*illegible word*]

I [S. Mcas.] P. Thompson only judge of the Circuit court for said county of Rockbridge in the State of Virginia, do certify that Joseph g. Steel. who hath given the preceeding certificate is clerk of the said court: and that [*loss*] is in due form. Given under my hand 16<sup>th</sup> day of April 1860

[S. Mcas.] J. Thompson

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At Rockbridge Circuit Court September 14<sup>th</sup> 1827

The last will and testament of Hugh Adams deceased was proved by the oaths of Andrew Patterson and James M. beard subscribing witnesses thereto and is ordered to be recorded. And on the motion of Robert Hutchenson on of the executors named in said will who mad oath thereto and together with William Buchanan, Hugh Adams, Thomas M. Lindsay & Montgomery Buchanan his securities who satisfied as to their efficiency, entered into and acknowledged their bond in the penalty of forty eight thousand Dollars conditioned as the law directs certificate as granted him for obtaining a probat of the said will in due form. Hugh Adams is the other executor named in said Will in open court refused to take upon himself the burden of the executor thereof, & ordered that said bond be recorded.

A Copy

Teste

Joseph G. Steele clk

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*On the back of the will and the transcription of court proceedings there is the following:*

Hugh Adams

Executioner

Vs. [*scribble mark*] Reword

Hugh Adams' Lega [*partially illegible*]

[*illegible word*]