

**LEE, THOMAS**

Secretary of State

Colony of North Carolina

Chowan County

Dated 14 March 1716/7

In the name of God Amen. I **Thomas Lee** of Chowan Precinct Gentn., being of sound and perfect mind & memory do make, ordain constitute and declare these presents to be and contain my Last Will and Testament, hereby revoaking and makeing null and void all former & other wills by me heretofore made or declared.

Imprimis - I will that all debts due form me to any person or persons be truly & honestly paid by my Executors hereafter named, as near as possible in the kind & value as they shall appear to be due.

Item - I give devise and bequeath unto my brother **William Lee** and his heirs forever all my Plantation called Cabbin Neck lying on the East side of Kendricks Creek whereon my said brother now liveth, together with all the land and stock there is appertaining or belonging and two draught horses with proper harness.

Item - I give devise and bequeath unto my cousins **William, Elizabeth** and **Edward** the children of my brother **William Lee**, the sum of twenty pounds each, to be paid unto them severally as they shall arrive to full age or day of marriage which shall first happen.

Item - I give and bequeath unto **Zilpha Blount** one feather bed and furniture.

Item - It is my Will that the Ship or Pink by me now intended to be built at Kendricks Creek, shall be compleatly built, finished & launched out of the proffitts ariseing by my Estate; and that Mr. **William Downing** who hath projected and begun that work, have the whole ordering & direction thereof as to employing such of my servants or slaves or other persons as are necessary to carry on that work according to the plan already projected. And that my Executors hereafter named shall direct the best method to be observed by the rest of my servants or slaves towards raising moneys for procureing the sailes, riggin, or paying the wages of such persons as shall be employed in the building the said ship ALNAIES RESERVING a suitable and ample maintenance for my wife **Mary** dureing the building the said ship, as also for the like maintentance & education of my son **Stephens Lee**.

Item - It is my Will that in case the proffitts accruing by my Estate shall be judged by my Executors not to be sufficient within a reasonable time fully to build and fitt the ship, then I order & appoint that my Executors may either admit a partner, or dispose of such part therof as they shall think necessary; so as the said ship, and fitting her for the Sea may be entirely finished & compleated within such time as by them shall be thought convenient.

Item - I give and bequeath unto my brother **William Lee** all my smiths tooles after the said Ship or Pink is finished so farr as there may be no occasion for the use of the said tooles.

Item - I give & bequeath unto my wife **Mary** my Plantation at Conaby on the East side of the Creek adjoining to White Marsh plantation together with such land as I have lately taken up adjoining to it and if it shall happen that my said wife **Mary** shall be delivered of a child begotten of her body by me the said **Thomas Lee**, then my will is that the said plantation & the lands adjacent sahll after my sd. wives decease be & remain unto such

child & its heirs forever, But in case my said wife shall have no issue by me, then I give the aforesd. lands & plantation unto my said wife **Mary** & her heirs forever.

Item - I will that the use & occupation of my mill be for my said wife, and for the service of the family servants and slaves until my son **Stephens Lee** comes of age and then I give the same unto my said son **Stephens Lee**, and his heirs and assigns forever.

Item - I will that the lands lately entred by me with warrents according to law be surveyed & patented & all charges paid out of my Estate before any division made.

Item - I will that after the ship is built, that my wife have the use & occupation of one half of the neat proffitts ariseing annually out of my personall Estate for her support & maintenance; and the other half after deduction of necessary charges of maintaining & educating my son **Stephens** I give to him, But if my said wife shall marry, or that my son **Stephens** shall arrive to the age of twenty one years, then I will that my personall Estate shall be equally divided after the said Ship is built & all charges and incombrances of my Estate are cleared & not before; which estate when so divided into three equal parts I give devise & bequeath unto my loveing wife **Mary** one third part thereof, and to my said son **Stephens** the remainder.

Item - It is my Will that my said wife **Mary** shall yt she please reside & dwell on any one of my plantations dureing her natural life, keeping the same in repair And all the rest of my lands & plantations I give devise & bequeath unto my said son **Stephens Lee** & his heirs forever ALNAIES PROVIDED And it is my true intent & meaning, and I do by there presents Will & appoint, that in case my wife Mary shall be delivered of a child begotten of her body by me the said **Thomas Lee**, that then all & singular the real & personal Estate whatsoever which is by me in this Will given unto my son Stephens, or which otherwise might & ought to have descended unto him, that the same shall be equally divided into three parts as equall as may be in value & kind according to ye disretion of my executor hereafter named one third part whereof I will that my Executors redelivered or secured to be delivered unto such child when & \_\_ soon as it sahl arrive to the age of twenty one years or day of marriage which shall first happen after such necessary deductions of maintentance & education are made to have & to hold the same to such child & its heirs and assigns forever. Provided that if such child does not attain to full age or day of marriage, that then the whole to be and remain to my son **Stephens** & his heirs & assigns forever.

Item - I will & desire that my executors hereafter named or the survivor of them do make use of the neat proffitts of such Estate as shall come to my said son **Stephens** or to such child after deduction of charges of maintenance & education as a tradeing stock to and for the use & proffitt of my said son or such child and that my Executors or such person or persons as they shall employ in the aforesaid trade of merchandizing with the aforesd. proffitts have allowance on their accompts of all such sum or sums of money, goods, wares or mechandize as my said son **Stephens** or such child shall be entrusted with as factors or dealers, so as no defalcation shall be made or loss happen by reason of such trust or credit given to my said son **Stephens** or such child dureing it minority.

Item - It is my intent & meaning that the several Legacies & bequests in this my Will mentioned to be given unto my loveing wife **Mary**, are to operate no otherwise than to be in full of all demands on claime whatsoever which my said wife can or may have, demand or challenge either in right of Dower or legall part or portion of my reall or personall Estate.

Item - I will that imediatly after my decease an exact inventory be made by my executors hereafter named of all and singular my Estate, and that they take proper securities of all and every person as shall be concerned therewith, or with whom the same shall be left, for the true & faithfull performance of this my will And it is my will that my son **Stephens** or such child as shall be born to me be bound out or put to such employ as to such child and my Executors shall be thought most agreable; so as they said lou(?) **Stephens** or such child be not brought up idly, and if and charges shall arise thereon my said Executors shall be allowed the same upon their accompts.  
Lastly - I do make nominate & appoint my very good friends **Frederick Jones** Esqr. **Edward Mosely** Gent & **William Downing** Shipwright to be Executors of this my will & testament whom I desire to \_\_ all parts of this my will performed. In testimony whereof I the said **Thomas Lee** have hereunto putt my hand & seale this fourteenth day of March Anno Domni 1716/7.

**Thomas Lee**

Signed Sealed Published  
and declared to be the Last Will  
and testament of Thomas Lee  
containing five pages. In  
the presence of us  
**Jervis Colman**  
**John Edwards**

July ye 6th 1719

This day came before me **John Edwards** and made oath that he saw the above mentioned will only executed.

Charles Eden

**Transcriber's Note:** This will describes property and activity in an area which became part of Tyrrell County in 1729, and later part of Washington County in 1799.

Updated October 2, 2001  
Gordon L. Basnight