

# FAIRFAX COUNTY

VIRGINIA

Found in the Archives no. 106  
Circuit Court  
Historic Records Center

## Washington Wills at the Fairfax Court



*Fairfax County Historic Courthouse*

Two of the Historic Records Center's most treasured documents, and perhaps our most well-known, are George and Martha Washington's handwritten wills. George's will is quite extensive, at 29 pages long, and it details his wishes on everything from his small personal possessions to his large swaths of land. George and Martha's wills both include directive for how they wanted their executors to handle their enslaved people as well. Recognizing that the enslaved individuals at Mount Vernon lived together and built families, George left his enslaved to be freed upon Martha's death. Martha freed these individuals one year after George's will was probated, and also followed his wishes that the estate provide support for the youngest and oldest of them, as well as any who were ill or disabled. Martha was unable to free her enslaved, as they were part of her dower, so upon her death the remaining enslaved at Mount Vernon were divided among her heirs.

As a Fairfax County resident, George Washington had to come to court for legal proceedings and transactions just like every citizen of the county did. When he died in December of 1799, his will was probated at Fairfax Court in the same way as every other will that came through the court system. Today, Fairfax Circuit Court has two copies of George's will. The first is the original handwritten copy, and the second is located in Will Book H-1, which is the clerk's copy that is recorded along with other probate documents as they were brought to court and filed.

In the name of God amen

I George Washington of Mount Vernon, a citizen of the United States, and lately President of the same, do make, ordain and declare this Instrument, which is written with my own hand, and every page thereof subscribed with my name, to be my last Will and Testament, revoking all other

instruments. All my debts, of which there are but few, and none of magnitude, are to be punctually and speedily paid - and the legacies hereinafter bequeathed, are to be distributed as soon as circumstances will admit, and in the manner directed

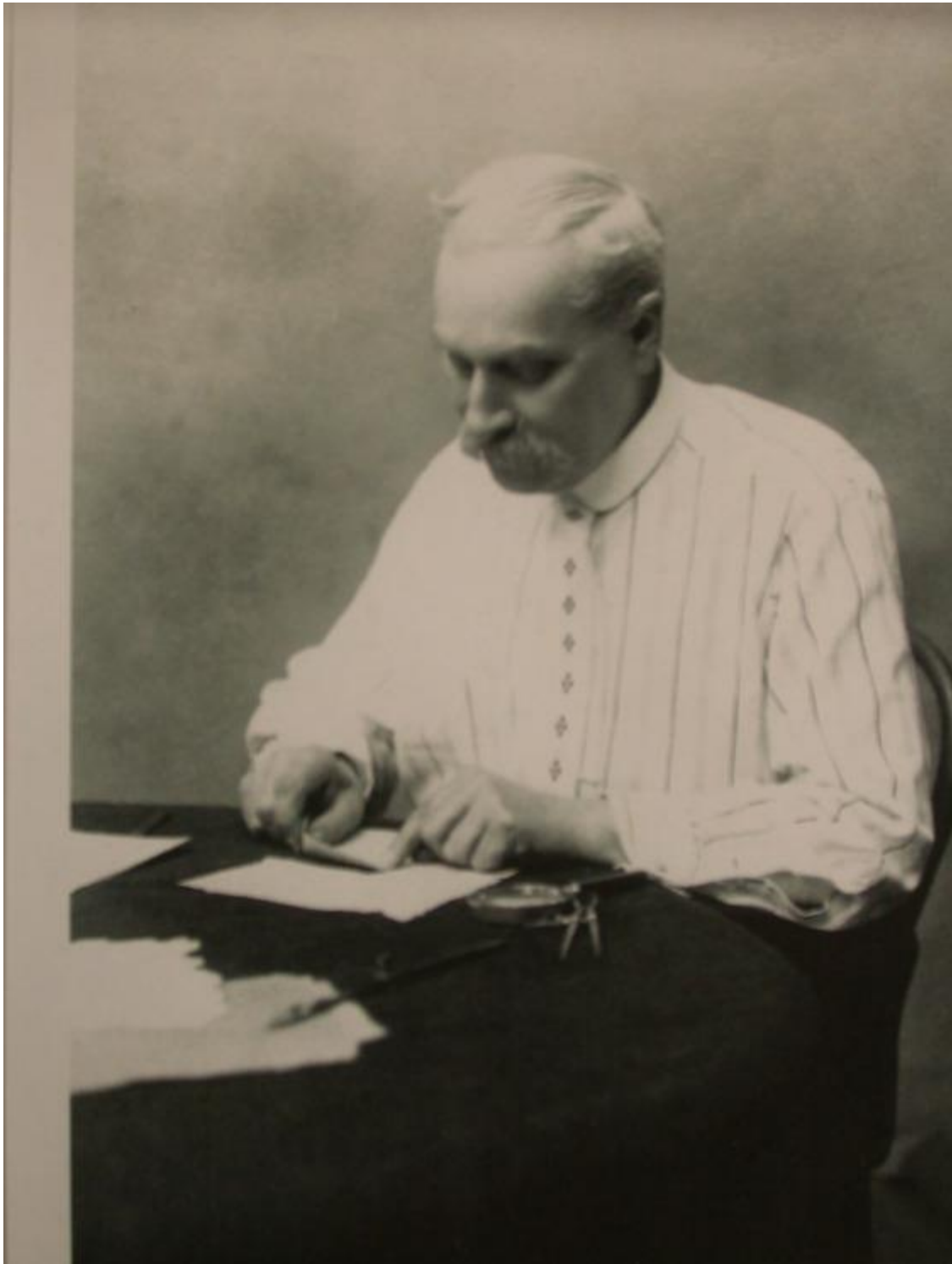
in this Will. To my dear and beloved wife Martha Washington I give and bequeath the use, profit and enjoyment of my whole Estate, real and personal, for the term of her natural life, and of her heirs for ever, except such parts thereof as are specifically disposed of hereafter: - The Town of Alexandria, Pitt & Cameron, her heirs for ever

George Washington Will

In the name of God, Amen. I, George Washington of Mount Vernon, a citizen of the United States, and lately President of the same, do make, ordain and declare this Instrument, which is written with my own hand, and every page thereof subscribed with my Name, to be my last Will & Testament, revoking all others. —  
Imprimis. All my debts, of which there are but few, and none of magnitude, are to be punctually and speedily paid, and the legacies hereinafter bequeathed, are to be dis-

Fairfax Will Book H-1 page 1, Clerk's recorded copy

George's will has largely remained in the Clerk's office in Fairfax with one notable exception. At the outbreak of the Civil War, Clerk of Court Alfred Moss feared for the safety of some of the court's most precious documents, including George and Martha's wills. In an effort to protect these records, Moss removed them from the courthouse and brought them to his daughter's home near Culpeper, Virginia, where they were stored in a cellar. Moss then took George's will to Richmond, where it remained until the end of the war. In 1865 the will was returned to the Courthouse, where it has remained ever since, minus leaving for conservation treatments or for temporary display at other locations.



*Work on George Washington's Will, William Berwick, Restorer of Manuscripts at Library of Congress, 1910*



*City of Fairfax Library Image, FXCO-RECORDS-003 Fairfax County Records, Preserving George Washington's will. circa 1910*



*Washington Will on display in the Clerk's Office, 1959*

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*Paul St Clair, Wayne Frakes, Tom Chapman Clerk of Court, James Maley and Clifton Skinny Walters carrying the Washington Wills to be displayed at Mount Vernon for five hours, 1963*

**For a more in-depth history of George and Martha's wills, the Historic Records Center has newly published copies of George and Martha's wills available for free, with a historical introduction written by George Oberle III, PhD MLS, History Librarian and Associate Professor at George Mason University, and a Clerk's introduction written by Christopher J. Falcon, Clerk of the Circuit Court.**

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**Tour the Historic Courthouse!**



Guided tours of the Historic Fairfax Courthouse and Historic Records Center are free and open to the public!

**Tours start every Friday at 3:00 p.m., excluding holidays or other court closures.**

**Location:** 4000 Chain Bridge Road. Meet at the green double doors under the arcade of the Historic Fairfax Courthouse (1799). This is the end of the courthouse CLOSEST to Main Street and Chain Bridge Road. The 1799 Historic Fairfax Courthouse faces Chain Bridge Road.



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## About *Found in the Archives*

*Found in the Archives* is a monthly publication of the Clerk of the Fairfax Circuit Court, 19th Judicial Circuit, who proudly serves The City of Fairfax and Fairfax County. The Fairfax Circuit Court Historic Records Center (HRC) holds the early county and court records including deeds, wills, court minutes, chancery and law papers, marriage licenses, birth, death, and tax records dating from 1742 through the early 1900s housed in approximately 2300 books and roughly 750 boxes of loose paper files. HRC is open Monday – Friday 8 am to 4 pm. and offers tours at 3pm on Friday. Click below to plan your next visit. *What will you find?*