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# The Reading of Thomas Jefferson's Last Will and Testament

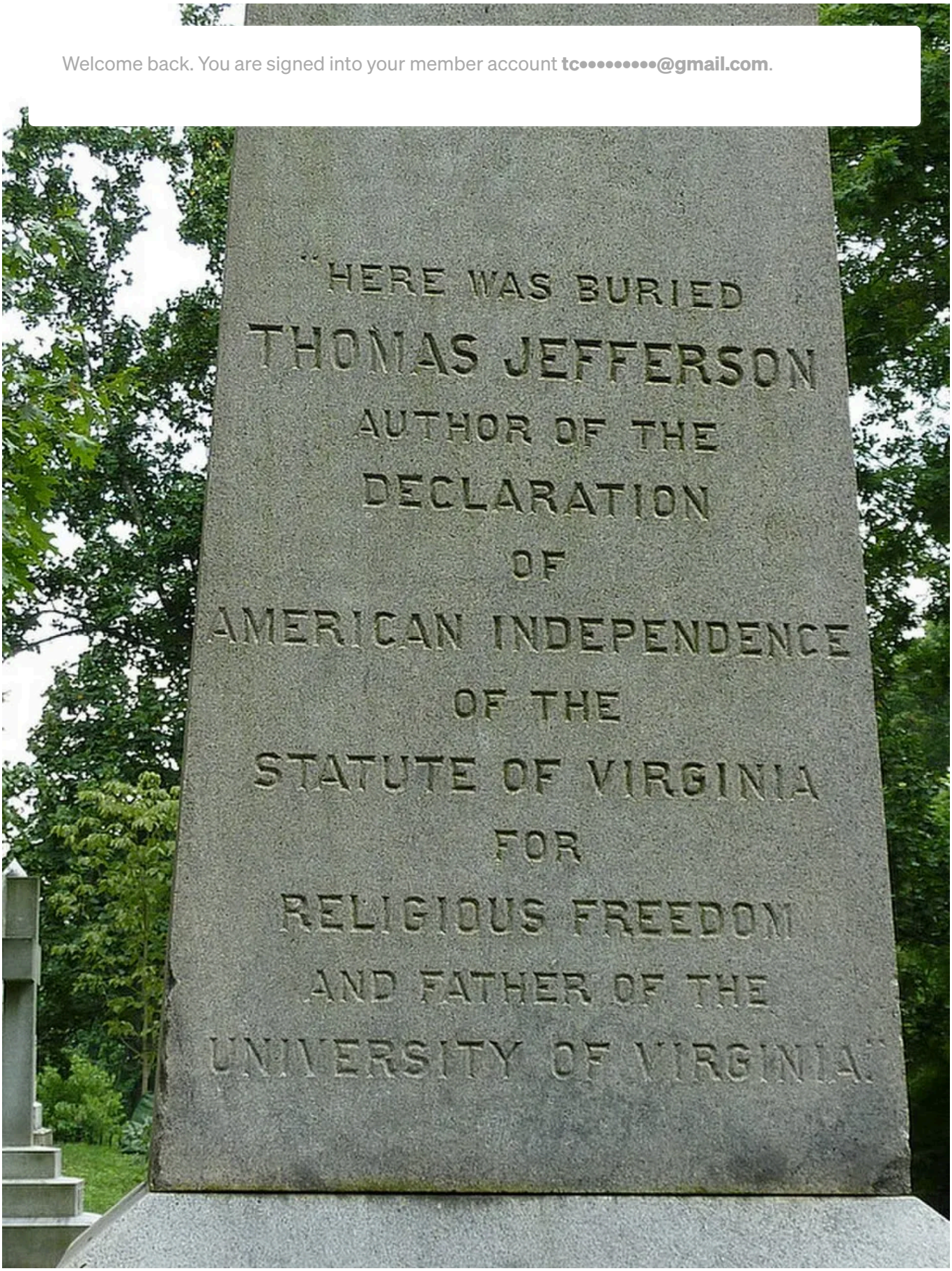
## A Founding Father's Last Words — And Final Sales



William Spivey Follow 6 min read · 1 day ago

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The first hint that Sally Hemings wouldn't fare well in the will came when

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years, since he began having sex with her as a teenager in Paris. She was a teenager; he was 30 years her elder.

How America Normalized the Rape of Sally Hemings | by William Spivey | Sep, 2026 | Medium

Jefferson's eldest daughter, Martha Jefferson Randolph, was present. So was a grandson, Thomas Jefferson Randolph. Doctor Robley Dunglison was his attending physician, and a few white household attendants were there. I'm still unsure whether any Black person was present. I recently watched a 6-episode History Channel documentary, Thomas Jefferson, which showed a young Black female attendant; they went to great lengths to get the facts right throughout the program. Records don't indicate that any Black person was present. We know Sally Hemings wasn't in the room, though she was in the house.

It is unclear what role Sally played in tending to Jefferson at the end. Jefferson's final illness confined him to his room for months. His daughter and doctor took charge of his care. Contemporary accounts of his last days, primarily from his grandson Thomas Jefferson Randolph, physician Robley Dunglison, and Nicholas Trist (married to a granddaughter), describe the people around him as family members (his daughter Martha Jefferson Randolph sat with him during the day), the doctor, and enslaved domestic servants who provided much of the nursing care.

Jefferson preferred having his servants nearby (including sleeping in or near his room) and specifically called for attending servants in his final hours.

One named attendant was Burwell Colbert (a Hemings family member)

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death." No record shows that Jefferson's Black children still at Monticello saw him. Sally Hemings and her children with Jefferson were being erased from the record even as he lived.

Jefferson composed his last will in his own hand, in August 1825, less than a year before his death. The surviving manuscript shows edits, cross-outs, and insertions—all in Jefferson's handwriting. He finalized it on August 17, 1825.

Jefferson was extremely ill while writing it. He was suffering from:

- chronic diarrhea
- kidney/bladder issues
- profound weakness
- inability to stand without assistance

But he was still mentally sharp enough to produce a legally coherent document. His will included a codicil (supplement) that freed five Hemings family members, including his sons Madison and Eston, still living at Monticello. Virginia law required witnesses; Jefferson's were:

- Thomas Jefferson Randolph (his grandson)
- Nicholas Trist (his granddaughter's husband)
- Dr. Robley Dunglison (his physician)

## Who Was In The Will

Jefferson's will is short, but every line carries meaning. Here's the complete lis

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## 1. Martha Jefferson Randolph (his daughter)

She received:

- Monticello household furniture
- All plate (silverware)
- His library (except the books already sold to Congress)
- His personal effects
- The right to live at Monticello for life
- The right to choose any enslaved people she wanted to keep

Martha was the primary heir because Jefferson was deeply in debt and had little left to distribute.

## 2. His grandchildren (the Randolphs)

Jefferson divided his remaining estate among his white grandchildren, including:

- Thomas Jefferson Randolph
- Virginia Randolph Trist
- Other Randolph grandchildren

They received:

- Land parcels

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- Any remaining estate value after debts

But because Jefferson died deeply indebted, these inheritances were mostly symbolic.

## 3. The University of Virginia

Jefferson left:

- His scientific instruments
- His maps
- His globes

This reflected his pride in founding UVA.

## 4. Nicholas Trist (grandson-in-law)

He received:

- Jefferson's gold watch

This was a personal gesture—Trist married Jefferson's granddaughter Virginia and later became famous for negotiating the Treaty of Guadalupe Hidalgo.

## 5. Joseph Dougherty (a white servant)

He received:

- $50 (a small bequest)

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## The Codicil (March 1826): The Hemings Family Freed

Jefferson freed five enslaved Hemings family members — all connected to Sally Hemings:

### 1. Madison Hemings (son of Sally)

### 2. Eston Hemings (son of Sally)

### 3. Joseph Fossett (son of Edith Fossett, Sally's sister-in-law)

### 4. Burwell Colbert (enslaved man, Jefferson's longtime valet)

### 5. John Hemings (Sally's uncle, master carpenter)

## Who Was Not In The Will

### 1. Sally Hemings

Sally didn't receive her freedom; she received no property and no cash. She eventually left Monticello and went to nearby Charlottesville to live with two of her sons. She was technically still enslaved, though nobody was chasing after her. I wonder if she heard about the white servant getting $50 while she got nothing?

### 2. One Hundred and Twenty-Five Enslaved People

At the time of Jefferson's death, there were about 130 enslaved people still at M

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Washington set a precedent by freeing all the slaves belonging to him upon his death (Martha retained hers). Jefferson did no such thing.

When Jefferson died:

- 130 enslaved people lived at Monticello
- only 5 were freed
- the rest were sold to pay Jefferson's massive debts
- families were broken apart
- children were sold away
- Skilled workers were auctioned
- Hemings women were kept enslaved
- Sally Hemings herself was not freed

In his lifetime, Jefferson was generally averse to splitting up families. There were some exceptions, usually tied to discipline or attempts to run away. Sally's sister, Mary Hemings, was leased out to help with income for Monticello when Thomas was in Paris and ultimately sold. She was separated from her children.

Within months of Jefferson's death, Monticello was dismantled through a series of estate sales. Families who had lived together for generations were broken apart, with men, women, and children sold to different buyers across Virginia and beyond. Skilled workers like blacksmiths, carpenters, and

domestic servants were auctioned to settle Jefferson's financial obligations,

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Jefferson's daughter Martha Randolph, but even she was forced to sell many of them to cover the estate's debts. The result was the near-total destruction of the Monticello enslaved community: a population that had sustained Jefferson's world was scattered, fragmented, and erased through sale. For those not freed, Jefferson's death did not bring liberation; it brought dispossession, separation, and the trauma of forced relocation.

When Jefferson died on July 4, 1826, the Albemarle County Court took his handwritten will (dated August 17, 1826) and the earlier codicil (March 1826) for probate.

Under Virginia law at the time, the process required:

## 1. Presentation of the will

Jefferson's grandson Thomas Jefferson Randolph brought the document to the courthouse.

## 2. Verification of witnesses

The court confirmed the signatures of:

- Thomas Jefferson Randolph
- Nicholas P. Trist
- Dr. Robley Dunglison

These men had witnessed Jefferson sign the will.

### 3. A literal reading of the will aloud in court

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Th it could be entered into the public record.

This moment served as the "reading of the will."

### 4. Recording and certification

The clerk copied the will into the Albemarle County Will Book. The estate was officially opened. Randolph was appointed executor.

In elite Virginia households, the executor customarily read the will aloud to the family before taking it to court. You can be certain that his white family members were present. The Black ones, not so much.

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**Written by William Spivey**

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## Responses (6)

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Tom Mitchell

What are your thoughts?

Rahab Mitchell
1 day ago

> Sally's duties included caring for Jefferson's chamber and wardrobe

Sounds as though she was responsible for cleaning soiled linens, clothes etc. of an extremely ill man who suffered from diarrhea, bowel and bladder disease with weakness and frailty. So, not the "secret lover", proud statesman, but a dying rag... more

2 Reply

Marcymattern
1 day ago

It is so incredibly selfish, cruel and hypocritical. He would not curb his own predilections of spending, sexual needs and trying to impress. Who paid for it? His slaves. Makes me sick.

2 Reply

Kent Cooper
1 day ago

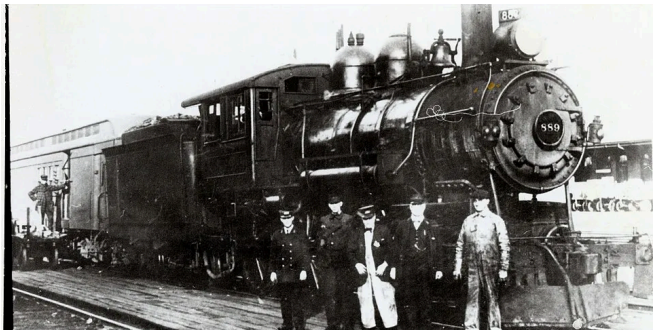
I've watched all of Henry Louis Gates, Jr's Finding Your Roots. Some of the Last Will and Testaments were remarkable. In particular I remember Harry Connick, Jr. and Branford Marsalis in 2012 (?).

Harry was the first white person I ever knew who was... more

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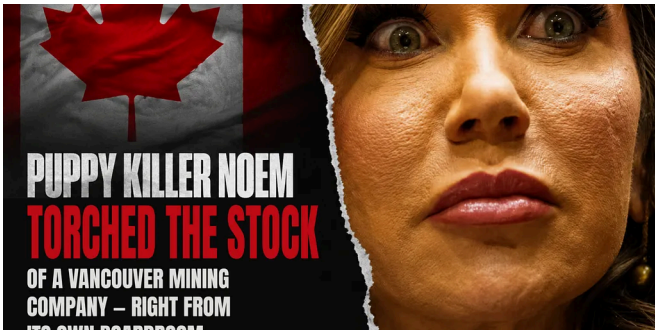


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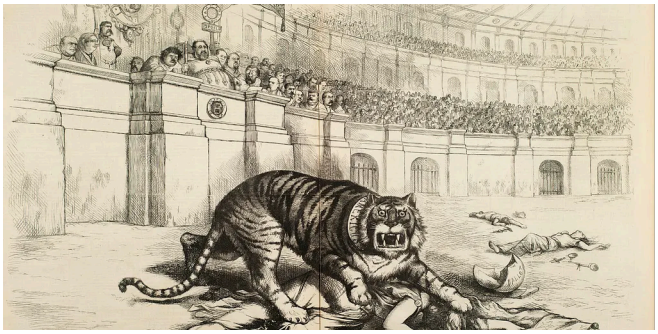
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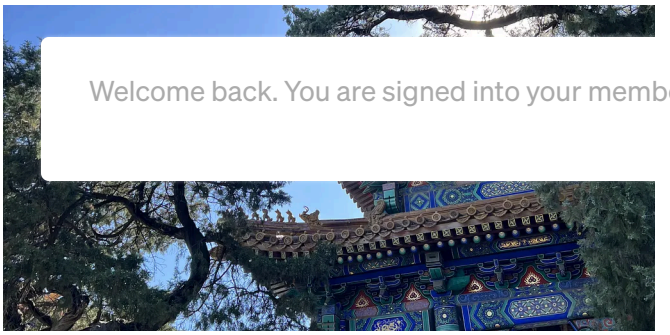
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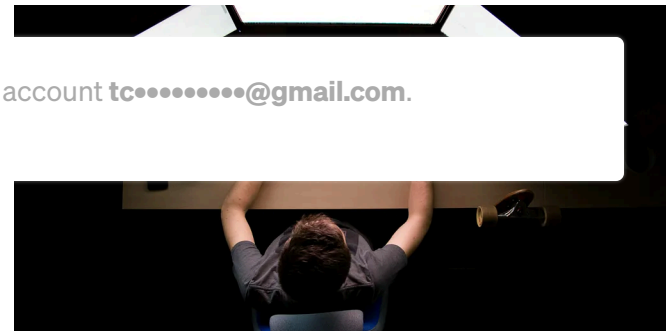


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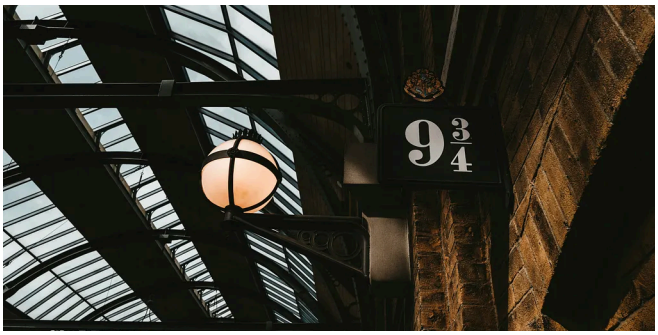


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