

that they do not survive him entitled to his portion
they are to distribute him as a part of my Estate
as above directed.

I hereby constitute and appoint Samuel Merry
and Robert Miles Executors of this my last will and
Testament hereby revoking all former wills or Testaments
by me heretofore made and as my above my
said Executors will not be required to give security
for their Executorship. The witness whereof I have written
in my hand and seal this 21st day of August 1835 -
Teste

Elisha Knox
David Shank
Saml Merry Esq

Alleghany County Court September Term 1835 -

This Instrument of writing purporting to be
the last will and Testament of David Merry
was presented in Court for probate and was proved
by the oath of Elisha Knox and David Shank
the subscribing Witnesses thereto, and the same is
ordered to be recorded. Teste

Oliver Callaghan Clk

Samuel Merry
Mile

34

I Mary R. Merry of the County of Lexington being entitled
by the will of my late husband David Merry to one half
of his Estate also of being privileged by said will
to make choice of such parts of said Estate as I
may prefer to make up my moiety -
Therefore I make this my last will and Testament
hereby revoking all other or former wills by me heretofore
made -

I hereby select my negro woman Sally and her two
children Sally and George and direct that them and
any other children she may hereafter have be sent to
Siberia or some other place where negroes are

I will that my Executors pay from my Estate a sufficient sum
to bear their expenses to the place of their choice also
to furnish them with clothing and provisions for one year
and pay half tanning Dollars -

I give to the Rev Elisha Knox one thousand Dollars to
be paid so soon as it can conveniently be raised from
my Estate -

I make choice of the Tract of Land lying in the County
of Alleghany on Jackson River which I & Merry
purchased from Mr. Amourneau also a piece of Land
adjoining purchased from J Butcher which Land I
give to my adopted son Thomas Glasheen to be delivered
to him when he arrives at the age of twenty one years
which is in the Autumn of 1835 and in the meantime to
be rented out by my Executors for the benefit of the said
Glasheen and if he should depart this life before
that time I give the said Land to my said son
lawfull issue in that event I give the said Tract
of Land to my father and his heirs forever, otherwise
to the said Glasheen and his heirs forever.

(I hereby direct my Executors to purchase and give to my
mother Susanna Miles one sofa and set of Mahogany
Tables and four Bedsteads such as she may make
choice of that she may keep them in remembrance
of me -

I give to James Miles and his heirs living in Pitt County
Virginia one thousand Dollars to be paid soon or longment

I give to Anne Fox and her heirs three hundred Dollars

I give my father Robert Miles two thousand Dollars
also any residue of my Estate both real or personal
of what nature or kind soever it may be to him and
his heirs forever

I direct my Executors to purchase and give to my
Brother Robert Nathl Miles one good Horse saddle, bridle
and a watch when he arrives to the age of twenty one

If the real amount of my Estate will not be sufficient to pay in full all cash expenses after the other parts are completed with I hereby direct that there may be an equal deduction from each share of the same.

I hereby empower my Executor to sell and convey all

the real estate in other property belonging to my Estate as he may judge proper and necessary.

I hereby appoint my father Robert Helm of County of Prince Edward my Executor and desire that he will not be required to give security for his Executorship - the testimony whereof I hereunto set my hand and seal twentieth day of September one thousand eight hundred and twenty-eight.

Teste

Mary M. Henry (seal)

James M. Henry

David Hunt

Courts Judge

Maghany County Court October Term 1828.

The last will and Testament of Mary M. Henry deceased was proved by the oaths of David Hunt James M. Henry and Courts Judge, and the same is ordered to be recorded.

Teste

Oliver Callaghan C. J. C.

John Dameron By the permission of Maghany Co. Assess

Wile I the Assessor of the County of Maghany and State of Virginia, do hereby make my last will and Testament in manner and form following that is to say.

E. D.

First I desire that my Executor herein after mentioned shall as soon as practicable after my Death have all my personal property and all my Affairs appraised in the usual manner - my personal property may

And if it be not sold I give and bequeath to my beloved wife Polly one third of all my personal property to be divided by the appraisement; and if sold she is to have one third of the proceeds of such sale; and she shall have one third of my other personal Effects after the payment of my Just debts which are

Second I give and bequeath to my Daughter Elizabeth (wife of Thomas Smith one calf and calf which are now in her possession to be held in Trust by my Executor for the benefit of said Elizabeth and her children and not be in any wise subject to the payment of her said Husband's debts; and she is to have no other part of my personal property or effects of any kind or slaves.

Third I desire and intend that my said Daughter Elizabeth shall have the West of land on Snake Run including

from James Thomas Attorney in fact for Youngs Thomas, next to the dividing Ridge between Doers run and Snake Run in said County of Maghany containing one hundred and twenty Acres, for and during her natural life, to be held and enjoyed in the following manner to wit. It is my desire and wish that my said Daughter Elizabeth Smith and her said Husband Thomas Smith shall go upon the before mentioned piece of land as soon as may suit them after my death and improve and live upon it during her natural life, and at her death to be taken and rented out to the best advantage by my Executor or his Representatives, until my said Daughter Elizabeth's children come of lawful age, and the way during such time to be laid out by my Executor or his Representatives, towards educating her children and then to be by him or them equally divided between said Elizabeth's children; or else to be sold to the best advantage by my Executor or his Representatives, and the proceeds of the sale