

J Gish
Will

In the name of God Amen. Whereas I Jacob Gish senr of Botetourt County and State of Virginia being old and willing to withdraw from the bustle of the busy world and also considering the frailty of human life, and that all mankind are born to die, I think proper to make, constitute and ordain this my Last Will and Testament in the manner and form following:

Item 1st My Soul I recommend to the hands of God who gave it and my body to the earth to be buried in a decent and Christian like manner at the discretion of my executors, nothing doubting but I shall receive it again at the resurrection of the dead - and as touching my worldly affairs whereunto it hath pleased God to bless me with I give and bequeath in the following manner to

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Item 1st To my grand daughter Casy Vinyard who is the only heir of my Daughter Elizabeth Vinyard, formerly Elizabeth Gish, three tracts of land lying on being in Henry Town - two of said tracts contain Eighty acres each, and the third contain twenty acres bought of Jacob Henry and which said my son in law Christian Vinyard and Elizabeth his wife agreed to receive as their full portion of my Estate, who have since deceased. I now therefore bequeath the same to said Casy Vinyard as the only surviving heir of said Christian Vinyard and Elizabeth his wife formerly Elizabeth Gish. This whole of said Land contains 130 acres, which I value at Two Thousand Three hundred and fifty two Dollars and forty two Cents. This is now to be the whole and sole portion of said Casy Vinyard, my Grand Daughter, out of my Estate.

which is well pleased God to bless me with it good and bequeath in the following manner to wit,

Item 1st To my grand daughter Cary Vinyard who is the only heir of my Daughter Elizabeth Vinyard formerly Elizabeth Gish, three tracts of land lying and being in Henry Town - two of said tracts contain Eighty acres each, and the third contain Twenty acres bought of Jacob Henry and which said my son in law Christian Vinyard and Elizabeth his wife agreed to receive as their full portion of my Estate, who have since deceased. I now therefore bequeath the same to said Cary Vinyard as the only surviving heir of said Christian Vinyard and Elizabeth his wife formerly Elizabeth Gish. The whole of said Land contains 180 acres, which I value at Five Hundred and fifty two Dollars and forty two Cents. This is now to be the whole and sole portion of said Cary Vinyard, my Grand Daughter, out of my estate.

Item 2nd To my son John Gish I give and bequeath the Tract of Land whereon he now lives which I bought of Solomon Barker and E. Carwin. The whole containing Two hundred and thirty two acres which I value at Five Hundred and Sixty five Cents.

Item 3rd To Charles Henry my son in law and successor his wife formerly Sarah Gish I give and bequeath the Tract of Land whereon the now live which I bought of William Henry & A. Hines and sold that I value myself with the things on it to have which said land contains Two hundred and thirty four acres and a half which I value at Five Hundred and Sixty five Dollars.

Item 4th To my son Abraham Gish I give and bequeath the old place
 wherein I now live or a part of it as follows: The lower part of said place
 to be as follows by a new line that I and my son Abraham made, starting
 at Shanks' line on the lot of Shanks that lies by the School house. This
 line is to start near the draw bar where Shanks lets his stock ^{past} in & out
 thence down the little meadow fence to the lower corner of said meadow
 thence across the little creek leaving the old line kept to the left and
 straight on to Abraham Gish's senior's line. And if so be I should marry
 again and my wife that I should marry should outlive me, it is my
 will that she should still keep possession of the same room of the house
 that I now live ~~and also the fourth part of the cellar and also some room~~
~~say the fourth part of the cellar and some room~~ to pass up and down stairs
 at pleasure. Also for a horse beast and one cow or two cows and no horse
 These creatures to be furnished with hay enough in winter and pasture in
 summer and fire as my son Abraham's creatures of the same sort for
 my expenses and to pay my widow forty five Dollars
 Abraham is also to furnish my said widow plenty of fire wood. She is
 also to have privilege to keep her milk in the Spring house and the liberty
 of making use of apples for necessary use, and one third of the garden, being
 a truck patch of reasonable size for potatoes and other vegetables, and if
 my said said widow should marry again her dower is to be at an end
 with my property and my son Abraham is quit of all the above said
 I will yet mention that if I should build a kitchen for my use said
 kitchen is to be for the sole use of my widow provided she should be

kitchen is to be for the sole use of my widow provided she should be
come a widow and have the same as the above mentioned Downy and
run out with the same on same terms, as also stable room for her
Creatures of whatever kind the be on the same condition of the ab
This above land, I value to my son Abraham Gish at Two Thousand
Six Hundred Dollars.

Item 5th To my son-in-law David Sperry and Caty his wife, for-
merly Caty Gish, I give and bequeath a Tract of Land near Amsterdam
which I bought of Henry Platt containing One hundred acres it being
the same that said Sperry now has in possession; also two two lots
in Amsterdam including a Yard also two Lots adjoining the former
fronting the Street also two Lots across the Street from the others on which
said Sperry now lives; which land and lots with all their appurtenances
I value at Two Thousand Two hundred and Twenty Dollars & Thirty two
Cents

Item 6th To my son Jacob Gish I give and bequeath a tract of land which
I bought of George Seacatt containing One hundred and fifty two acres also
a tract of Land bought of Robert Delzell containing Twenty nine & a half
acres also a small tract I got of William Weather containing two and
fourth acres. All these lie joining and are now in the possession of my son
Jacob Gish. The whole of the above property I value at Five Thousand four
hundred and twenty three Dollars and

Item 7. To my son-in-law George Simon and my Daughter Polly his wife
formerly Polly Gish I give and bequeath a Tract of Land bought of John

Five Hundred Dollars.

Item 5th To my son-in-law David Sperry and Caty his wife, formerly Caty Gish, I give and bequeath a Tract of Land near Amsterdam which I bought of Henry Platt containing One hundred acres it being the same that said Sperry now has in possession; also two ~~two~~ lots in Amsterdam including a Pan-yard also two Lots adjoining the former fronting the Street, also two Lots across the Street from the others on which said Sperry now lives; which land and lots with all their appurtenances I value at Two Thousand Two hundred and Twenty Dollars & Forty Cents

Item 6th To my son Jacob Gish I give and bequeath a tract of land which I bought of George ~~Platt~~ ^{Robert} containing One hundred and fifty two acres. Also a tract of Land bought of Robert Dezell containing Twenty nine and a half acres. also a small tract I got of William Weather containing two and a fourth acres. All these lie joining and are now in the possession of my son Jacob Gish. The whole of the above property I value at Five Thousand five hundred and twenty three Dollars and

Item 7th To my son in law George Linn and my Daughter Polly his wife formerly Polly Gish I give and bequeath a Tract of Land bought of John Henry Platt ~~all the land on the North East side of the road lying from Robert Dezell to the former supposed to contain Two thousand fifty five acres which I value to them at One thousand Eight hundred and Twenty Dollars~~

Item 8th To my son in Law Peter Winingers and my Daughter Lydia in my former Lydida Gish I give and bequeath a part of the old Tract of Land I bought of Buckneride, it being the furthestmost end of the Tract from my house and the same that the said Winingers now has in possession. My will is that the balance of the land, that is, all that is not included in Abraham P. Winingers, the number of acres to be ascertained by survey, which Land I value at Nine Dollars per acre

Item 9th It is my will that my Daughter Ann who is now married to Samuel Moomaw, that she and her said husband have the next Choice to Choose the middle tract that lies between my son Abraham and Peter Winingers Tracts at ~~the~~ ^{Botetourt County Virginia Wills 1829-1838} ^{www.virginiapioneers.net} the number of acres with Winingers or the tract I bought of Sollenbarger and Cook on the road leading from the furnace to the Big Lick containing one hundred and Two acres, thirty acres of which is rated at Ten Dollars, and Seventy two acres at fifteen Dollars per acre, or a tract of Land I bought of James Johnston adjoining Henry Gourd and containing one hundred & four acres and $\frac{1}{4}$ which I value at Seven hundred and thirty five Dollars

Item 10th To my daughter Cary Gish I give next Choice of the Two Tracts of Land that shall be left after S. Moomaw and his wife Ann have made their Choice

Item 11th To my Daughter Priscilla Gish I allot the remaining Tract

Item 12th It is further my will that after my decease my Executors see which of my Children are yet under the Age of 21

Item 11. To my Daughter Priscilla Gish I allot the remaining Tract.

Item 12th. It is further my Will that after my decease my Executors see which of my Children are yet under Two Thousand Dollars, and out of such property as they shall find not otherwise devised to sell and make the money and give them first that have received the least, and raise all their legacies to Two Thousand Dollars, and after that if there be any thing more, they are again to divide to bring my Children all equal, and if there be not enough to make them all equal, in such case those that have more are to pay back to them that have too little.

Item 13th. I do likewise authorize my Executors to sell all my lands & lots they may find to the best advantage and allow a reasonable credit, and divide between my above named Children, so that they all receive an equal portion except my three sons ~~Abraham Gish and Jacob Gish to whom~~ I devise One hundred dollars more than the Daughter, because she do not receive the same quantity of household furniture and I consider them entitled to One hundred Dollars extra from the Daughter.

Item the 14th. Now to execute this my Last Will and Testament I ordain appoint and institute my son Abraham Gish and my Son in Law Samuel Moorman and Peter Wininger to execute this my Last Will by which I revoke and disannul all other Wills and Testaments, and establish this my Last Will and Testament. In Witness Whereof I have hereunto set my hand and seal this 14th of December in the year One Thousand Eight Hundred and Thirty.

Signed Sealed & delivered in the presence of us and us

Jacob Gish

Seal

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and to pay back to them that have too little

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portion except my three sons John Gish Abraham Gish and Jacob Gish to whom
I devise One hundred dollars more than the Daughters, because they do not
receive the same quantity of household furniture and I consider them entitled
to One hundred Dollars extra from the Daughters.

Item the 14th. Now to execute this my Last Will and Testament I ordain
appoint and institute my son Abraham Gish and my Son-in-Law Samuel
Moorman and Peter Nimmo to execute the my Last Will by which I revoke
and disannul all other Wills and Testaments, and establish this my Last
Will and Testament. In Witness Whereof I have hereunto set my hand
and Seal this 17th of December in the year One Thousand Eight Hundred and
Thirty.

Signed Sealed & delivered in the
presence of us and us in the
presence of each other

Jacob Gish

Abraham Gish

Samuel Moorman

Peter Nimmo

Jacob Gish

Seal

A Statement of Land which Jacob Gish senior wills to his Children with the price that each share cost arranged.

1st To my son Jacob Fish I bequeath the tract of land bought of William Weather's containing " " 2 $\frac{1}{4}$ acres

Also a tract bought of George Seacatt containing 152 acres

Also a tract bought of Robert Delzell do 29½ acres

$$\sqrt{8\frac{3}{4}}$$

All for the sum \$ 2576.75

To Peter Mininger the place where he now lives supposed to be 194 acres, but to be surveyed and whatever the lot should contain be rated at 8 Dollars per acre

which 1532. 07

A Tract lying between Peter Wieringer and my old
place and a joining back into the Back Mountain 1921
and to be surveyed like the former at the same price to
one of my Daughters.

1551.00

To my son Abraham & his I bequeath the old slave
lot at the draw bars from thence down the little meadow
fence to the lower corner, thence across the branch a straight
to the right of an old limekiln and straight on to Abra-
ham & his senior's line supposed to be 150 acres & be
ascertained by Survey

2600.00

A Tract of Land lying at the East side of the mountain, containing 150 acres at 2 \$ per acre

300.00

To my Grand Daughter Cary Weyard a Tract of Land

A tract of Land lying at the East side of the Mountain containing 150 acres at 2 \$ per acre 300.00
 To my Grand Daughter Mary Vinyard a Tract of Land bought of Jacob Henry lying in Henry Town containing 80 acres 1852.00
 Also another lot of 80 acres adjoining the former 80 500.00
 Also a third lot of 70 acres all bought of J. Henry 70 2352.00
 280

To my son John Fish a tract of 200 acres of Land whereon he now lives bought of Solenbarger for \$700 2333.33
 Also a Tract of 32 acres & 20 Poles for which I paid Garvin 321 Dollars and 25 Cents 321.25
 2652.58
 45.42
 2700.00

A Tract of Land containing 100 acres bought of Solenbarger for Three Hundred Dollars 300.00
 Also a tract of 72 acres bought of Cook for \$1080. adjoining the above 30 acres 1080.00
 1380.00

A Tract of Land in Franklin County containing 100 acres for which I paid 1111 Dollars 1111.00

To Charles Ganney a tract of Land bought of Hamman containing 221 acres at 1/2 Dollar per acre 1136.50

Also a tract of D. Stoner of 14 acres at \$5.25 per acre 73.50

Also another Tract of Daniel Stoner containing 39 1/2 acres at \$2.50 98.75
 Also another Tract of 36 acres owned myself at 3 \$ per acre 108.00
 2615.50

A Tract of Land bought of Platt containing 100 acres for the