

Heathly Gummells Last Will & Testament

In the Name of God Amen

I Heathly Gummells of Frederick County in the State of Virginia of sound mind and disposing memory do hereby make constitute and declare this my last will and testament in manner and form following to wit

Item the 1st I give and devise unto my Trustee George W. Hunter Esq of Frederick County Virginia and to his Heirs my Tract of Land situated in Frederick County Va near Battle Towne & upon Snowsides together with all and singular the Appurtenances also all the farming Utensils Horses Cows Hogs & Sheep in short all the stock of every kind & Household and Kitchen furniture a Negro named Rebecca and every other and all kinds and descriptions of personal Property now being in or upon said Tract of Land & likewise all and every kind of Description of Personal Property which may be found or happen to be upon said Tract of Land at my Death except my further Bed and on large dining Table & I direct however that he the said Geo W Hunter & his Heirs shall hold the aforesaid Tract of Land and all the personal Property hereby devised and bequeathed to him and them for the sole and separate Use and benefit of my Daughter Mary Ann Hunt Hooe during her natural life free from the Power Control or disposal of her Husband and after her Death for the sole Use and Benefit of such Child or Children and the descendants or descendants of any deceased Child or Children of her the said Mary Ann Hunt Hooe who may be living at her Death and then I give for ever.

Item the 2^d I will that as certain Negro Girl named Rebecca and her increase from this Time be included in the foregoing bequest to George W Hunter in Trust as aforesaid and that my said Daughter Mary Ann Hunt Hooe have full Power and authority at any time after my Death to sell the aforesaid Negro Girl or any Child or Children that she may have and the children of the said said child & to divide the money arising therefrom be as soon as practicable invested by said Hunter in other Property of the same Description to be held to the same Uses as aforesaid.

Item the 3^d I will that my aforesaid Daughter Mary Ann Hunt Hooe be allowed to live on the aforesaid Tract of Land if she may so choose to do or otherwise enjoy the annual Proceeds thereof together with the

Tract of Land if he may so choose to do, or otherwise enjoy the annual Proceeds thereof together with the
house and benefit of the aforesaid personal Property hereby together with this said Tract of Land herein
before bequeathed and devised in Trust to George W. Hunter as aforesaid) for the support of herself &
the maintenance and Education of her Children.

Item the 4th It is my Will that my said Daughter Mary Ann Hove have full Power and Authority
by her last Will and Testament or by Letters of appointment in writing in the nature of a power
attested by two Witnesses to direct and appoint notwithstanding her marriage and Coverture at
the time) in what proportions all the Property hereby devised and bequeathed in Trust as aforesaid
shall go to her several Children, or to the descendants of such of them as shall or may die (leaving
children) before her (then said Mary Ann Hove's Death) and in the Event of the said Mary Ann
Hove's failure to exercise this Power of appointment if in case she shall die leaving a Child or
Children and the descendant or descendants of a deceased Child or Children, then it is my Will
that they to wit, the surviving Children and the descendant or descendants of him, her or them
deceased shall take "per Stirpes" and not "per Capite".

Item the 5th It is my Will that my said Daughter Mary Ann Hove shall have full Power by her last
Will and Testament or by Letters of appointment in the nature of a power attested by two Witnesses to dispose
absolutely of all or any Part of the aforesaid Property devised and bequeathed in Trust as aforesaid to the
said Geo. W. Hunter in case she shall die without any Child or Children or in the Event of such Child or
Children as she may leave at her Death all dying before the age of twenty one or marriage notwithstanding
the marriage and Coverture of her the said Mary Ann Hove.

Item the 6th In case any of the Children of my said Daughter Mary Ann Hove who may be alive at
the time of her Death shall die after that Event and before the age of twenty one or marriage then it is my
Will that the share of such and all of those who die as aforesaid shall go to the survivors in the property
fully devised and bequeathed to the said Geo. W. Hunter in Trust as aforesaid or in case all die as
aforesaid except one then that one shall take the whole not meaning however hereby to revoke or qualify
the legitimate operation of the Power of appointment or testamentary disposition herein made in the

by two Witnesses to direct and appoint notwithstanding her marriage and Coverture at the time) in what proportions all the Property, heretofore devised and bequeathed in Trust as aforesaid shall go to her several Children, or to the descendants of such of them as shall or may die (leaving children) before her (the said Mary Ann Hooe's Death) and in the Event of the said Mary Ann Hooe's failure to exercise this Power of appointment, in case she shall die leaving a Child or Children and the descendants or descendants of a deceased Child or Children, then it is my will that they take the surviving Children and the descendant or descendants of him, her or them deceased shall take "per Stirpes" and not "per Capite".

Item the 5th It is my will that my said Daughter Mary Ann Hooe shall have full Power by will or will and Testament or by Letters of Appointment in the nature of a will to dispose absolutely of all or any Part of the aforesaid Property devised and bequeathed in Trust as aforesaid to the said Geo. W. Hunter in case she shall die without any Child or Children or in the Event of such Child or Children as she may have at her Death all dying before the Age of twenty one or marriage notwithstanding the marriage and Coverture of her the said Mary Ann Hooe.

Item the 6th In case any of the Children of my said Daughter Mary Ann Hooe who may be alive at the time of her Death shall die after that Event and before the Age of twenty one or marriage then it is my will that the share of each and all of them who die as aforesaid shall go to the survivors in the proportion partly devised and bequeathed to the said Geo. W. Hunter in Trust as aforesaid or in case all die as aforesaid except one then that one shall take the whole not meaning however hereby to revoke or qualify the legitimate operation of the Power of appointment or testamentary disposition conferred upon the said Mary Ann Hooe by former Parts of this will.

Item the 7th I give and bequeath unto my son Joshua Boffa Gunnat a son the Share to which of the above is entitled the bequest to Geo. W. Hunter in Trust as aforesaid, a good Heir of him and

where I wish to have the same, the Book to be furnished from amongst others now in my possession
under the name of W. S. to be purchased at the Expense of my Estate after the Payment of my part of the
up of the Condition is over, that my son should not prefer any other of the same, that is to say, against
my Estate, and if my son should receive from me all the aforesaid Articles before my Death, then
the Legacy to be considered as fully satisfied, of only a Part, I leave "pro tanto".

That Legacy is to be considered as fully satisfied of only a Debt then due from
 them the 8th Decemr and bequeath to my daughter Sybil Mearns for ever all the Property which I am the
 sole and lawfull owner from the Estate of my deceased Father Hugh West Esq and all the Property I am the
 sole and lawfull owner from the Estate of my late Husband Major Henry Mearns also the large action of
 Debt and the other Moneys excepted on a former Part of this Will containing the Bequest to Geo W
 Hunter in Trust as appears &c

see for
Reones
brought by
Sergeant
Butler

Now the said Major Henry Gunnett
 Now the 10th My will is that in case I should die away from this that the same together with
 the Legacies should be paid out of my negro Property in Faneuil, and at any Rate it is my will
 that these Bequest herein contained to Geo. W. Hunter in Trust as aforesaid should not be touched
 for either of these Purposes unless the Rest of my Estate should prove insufficient for the Payment
 of my just Debts, and then only for the last mentioned purpose viz the Payment of Debts.

of my last Will, and then only for the last mentioned purpose with the Exemption of Debt.
Lastly, I hereby appoint my said Friend George Hunter of Fairfax County Va. Executor of
this my last Will and Testament so that any and former Will by me heretofore made.

This my last Will and Testament revoking all former Wills by me heretofore made.
 In Testimony whereof I have set my Hand and affixed my Seal this 25th Day of
 May 1850.

Wey. 1850. Sally Chinnell (died)

Signed, sealed and acknowledged
in our presence the 16th of June and the other

Sally Gunnell (dece.)

Signed, sealed and acknowledged
in our presence the 10th and the other
Red being first intalined over the second
Line of the fourth Page

Rob^t P. Brooke

Presley N. Helm

John Morgan Jun^r

Clarke County, Ga

At a Court held for the County aforesaid on the 27th Day of March 1837 writing
purporting to be the last Will and Testament of Sally Gunnell Dec^d was produced in Court and proved in
part by John Morgan Jun^r a Witness thereto who also proved that Rob^t P. Brooke one of the subscribing
witnesses to the said Will is dead & that Presley N. Helm another subscribing Witness thereto has removed
from the County which is ordered to be certified and at another Court held for the County aforesaid
on Monday the 24th Day of June 1837 The Hand writing of Robert P. Brooke one of the subscribing
Witnesses to the last Will and Testament of Sally Gunnell Dec^d which was proved in Part at the last
Court by the Oath of John Morgan Jun^r one of the Witnesses thereto was then &ay proven by the Oath of John
M. Blakemore and thereupon the said Will & Testament is ordered to be recorded.

Teste

John Gray Clerk of the Court of
Clarke County