

40. the worshipful Court of Pulaski County,

The statement on the preceding page are assigned to show the condition of the accounts of J. A. Painter as well in relation to the personal estate of George Painter Decd. as also the fund in his hand arising from the charges upon the real estate. This statement shows a balance in the hands of the executor (in currency) on the 12th day of May 1866 of \$4786.44. Respectfully submitted -

John B. Bastien, Clerk

Decr 1st 1866,

Virginia: At a court held for the county of Pulaski on Thursday the 7th day of Feb'y 1867.

The above settlement of J. A. Painter in relation to the personal estate of George Painter Decd. and also the fund in his hand arising from the charges upon the real estate - was presented in court and ordered to be over and over for exception.

And at a court held for the said county on Thursday the 9th day of March 1867. The same was confirmed and ordered to be recorded -

John B. Bastien, Clerk

In the name of God Amen -

I John Ruffe of the County of Pulaski and State of Virginia believing that my health and strength are departing from me and knowing that it is appointed unto man once to die - Being yet of a sound mind and good understanding do make and ordain this my last will and Testament -

First I give to my beloved wife Elizabeth my farm upon which I now reside during her natural life - or during her continuance a widow. (If my wife Elizabeth should marry after my death then and in that case she is only to have during her natural life one third of the above named tract of land) - I also give to my wife Elizabeth during her natural life - all my household and kitchen furniture and utensils - Also one cow -

Second - All my personal property I direct to be sold at my death and my lands I direct to be sold at the death of my wife and all the proceeds of both personal property and lands to be disposed of as follows to wit:

1st I give my two daughters Polly and Mahalia Twenty dollars each. 2nd I give to my Grand son William Russell Ruffe (son of Russell & Polly Ruffe) one hundred and fifty dollars. 3rd All the balance of the proceeds of my estate I direct to be equally distributed as follows -

My son Anderson Ruffe one Equal share

My son Lewis Ruffe one Equal share

My son Reuben " one Equal share

Harriet and Thomas children of my son John and Milvina Ruffe one Equal share.

Elwelle Ruffe (my son) one Equal share

My son William Ruffe one Equal share provided however that he returns to me in good condition my coral mare which he at this time has in his possession. If my said son does not return the said mare to me or to my executor in good condition then and in that case his share is to be cutted one hundred and fifty dollars - which sum shall be added to the proceeds of my estate embraced in the general division -

My daughter Eliza is to have one Equal share

My daughter Mariah is to have one Equal share

My " Elizabeth " " one Equal share

My " Polly " " one Equal share

My " Mahalia " " one Equal share

My " Octavo " " one Equal share

It is expressly understood that my two Grand children Harriet & Thomas children of my son John and Milvina Ruffe are only to have one share jointly between them (as) the share which would have accrued to them father if were now living - Last of all I appoint my two sons Lewis & Reuben Ruffe my lawful executors - In testimony whereof I have hereunto set my hand and seal this 14th day of April 1862 -

John Ruffe

John & Meredith

John Ruffe (Seal)

Notice - My son William Ruffe having died since the execution of the foregoing will (children) I hereby direct that all the interest and estate owned to him shall go to the persons (other than him) mentioned in the third clause of said will in the same proportion they take the residue under that clause - In witness whereof I have hereunto set my hand and seal this 18th day of April 1863.

Witness -

John & Meredith

John & Meredith

John & Meredith

John Ruffe (Seal)

Virginia: At a court held for the County of Pulaski on Thursday 10th day of January 1867.

The last will and Testament of John Ruffe deceased was presented in court and proved by the oath of John & Meredith.

one of the subscribing witnesses And motion for probat. Certain and valid next term as to Thomas G. Phelan the other subscribing witness - Also present a Coroll to the same and proved by the oath of John G. Mendenhall and John Mendenhall the last day of the term to the same

And as a Court held for the County of Pulaski on Thursday 7th day of February 1867.

Upon continuation of Motion for probat of the will of John Rupp dec'd where was proved at last court as to John G. Mendenhall one of the subscribing witnesses said will was proved by Thomas G. Phelan the other subscribing witness and admitted to full probat. And Reuben J. Rupp and Lewis Rupp the executors named in the will having declined to act as such - The Court doth appoint David B. Ball administrator with the will annexed who together with John G. Mendenhall as his security appeared in Court entered into and acknowledged a bond in the penalty of \$5000 (five thousand dollars) conditioned as the Law directs.

A. C. P.

Note.

J. H. S. Secur
Clerk pro Em.

X

Rev.
Darius Geo
Will

I George Painter of Draper's Valley Pulaski County Virginia do this day make my last will and testament avowing and annulling all others made by me heretofore - 1st I bequeath to my eldest son D. A. S. Painter my farm upon which I now reside provided he pays the other heirs the sum of nine thousand dollars. Four thousand five hundred dollars of this to be paid down as a first cash payment - The remainder to be paid within two years in equal annual instalments which are not to bear interest.

2nd Inasmuch as my title deed to said farm is not complete should a suit in law arise to secure it - I direct that the expense of such suit be paid out of the estate.

3rd When the above bequest shall have been made I direct that the money except so much as may be differently disposed of hereinafter shall be put at interest (giving my heirs who are of age the preference should they wish to use it) and the monies arising from it shall be devoted to the following purposes.

1st So much as is necessary for the support of my wife Jane B. Painter shall be given her from the interest of the money provided she does not

receive in any one year more than one third of such interest.

2nd So much of the remainder as shall be necessary shall be appropriated to the education of my three sons George Whitfield R. H. Eskine and Crockett until they arrive at the age of twenty one years. All necessary expense for their maintenance must also be provided for out of this. If the interest on this is not sufficient for this purpose then they may draw from the principal yearly a sum not to exceed one hundred and fifty dollars each until they are twenty one years of age which sums shall be accounted for by them in the final settlement of the estate without interest.

3rd I direct that all my personal property except the growing crop of this year and so much of it as my wife shall wish to retain shall be sold and the proceeds together with all monies now on hand shall be divided among my children after paying my just debts as follows. To my Daughter Leasella two hundred and eighty seven dollars - To my son James two hundred and ninety seven dollars - To my son Sydney twenty seven dollars - To my son John forty seven dollars and these sums shall be accounted for by them in the final settlement of the estate as shall also the sums received by them and others of my children previous to this as follows -

W. D. Painter four hundred and seven dollars D. S. M. Painter three hundred and thirty dollars - Leasella G. Miller one hundred and twenty dollars C. C. Painter eight hundred and twenty seven dollars J. B. Painter three hundred and sixty dollars J. S. B. Painter one hundred and ten dollars. No interest shall be charged upon these sums.

4th When my youngest heir shall become of age if my wife is not then living then shall be an equal distribution of all estate to all my children except to my eldest son D. A. S. Painter who has received his portion in the advance price of the farm and his education and the growing crop. In the distribution all sums accounted for by any of the children shall be taken into the accounts made that arising from the interest on the sums received by my three sons Whitfield, Eskine & Crockett as provided for in section second of Article third.

5th If my wife is still living she shall still have her third until her death.

J. H. S. Secur