

part of the tract at its present height and to raise it higher provided that by so raising it we does not flood the lands or injure the spring on the upper tract - also the right to obtain stone from the upper tract for building or repairing said dam and to conduct the water along the present race without hindrance or molestation and to dig earth for repairing the same - and the right also of bringing water in pipes from the upper spring to the dwelling house, saving and reserving however to the devisee of the upper part of the tract hereinafter mentioned the right to use in a reasonable way the water from the race for watering the meadows - So Henry M. Francis husband of my daughter Anne, I give all the upper part of my home tract according to the division herein before set forth - also one half of my lands in the Barrens to be divided according to quantity to quality and he to have that portion which joins the lands now owned by him - So my said daughter Anne, I give my house clock and also one half my German books and one half the household and kitchen furniture - I may die, possess of the other half of the German books and of the furniture I give to my daughter Mary - having already given to Jacob Shookler the husband of my daughter Mary and to my son Christopher Vieggy in money and property as much as I think or can give, them respectively I hereby declare that it is not my intention that either the said Jacob or his wife Mary or my said son Christopher shall have any farther portion of the estate real or personal of which I may die, possess except the devise above mentioned of books and furniture to my daughter Mary - I appoint my son Henry Vieggy & my son in law Henry M. Francis the Executors of this my last will & testament - In Testimony of all which I have hereunto set my hand & seal on this 17th day of January 1841 signed seal and acknowledged as his last Will & testament in presence of

Edward Watts
Christian Rich

The death of Henry M. Francis to whom in my above will I have devised a portion of my property makes it necessary that I should annex thereto this codicil which I hereby declare is to be considered as such & to have full power & validity - all that part of my will which relates to the said Henry M. Francis so far as any revocation is necessary I declare to be revoked and annulled and to my daughter Anne, widow & relict of the said Henry M. and her heirs I give and devise all the estate real and personal which in the body of my Will was given and devised to her husband the said Henry M. upon the same terms & conditions according to the same limits as are therein set forth, In Testimony of this being a codicil to my last Will & Testament I have hereto set my hand & seal this 19th day of June 1841 signed seal and acknowledged in presence of

Edward Watts
John T. Robinson

At Roanoke County Court August Term 1844.
The last Will & Testament of Henry Vieggy was proved by the oaths of Edward Watts & others witnesses thereto & ordered to be recorded
Teste Samuel W. Jeter Secy.

John Johnston

I, John Johnston of the County of Roanoke and State of Virginia being in delicate health but in full possession of my mental faculties; Consider it my duty I owe to my Family to preserve peace and good feelings among them, To make this my last will disposing of & expunging all wills heretofore made, To my highly Esteemed Wife, Elizabeth Johnston I give and bequeath all my property both real and personal after the following Legacies are executed, To my Daughter Susan, Sons, William John Joseph & George also my daughter Elizabeth whose Settles have not been made to Real Estate, to be made to them & their heirs forever and to possess all the property they have in possession of every kind undisturbed except those who have given Bonds to me which Bonds are now to be paid over to my wife, To my Daughter Ann I bequeath to her being the sum of seven thousand Dollars to be paid to them by my Executors as they become of Lawful age, but in the event she should have no issue she has then no claim whatever on my Executors To my son James I bequeath one half of the clear profits of the plantation on which I now reside including stock &c. during his mother's life time & at her death ample provision is to be made for his support by my Executors during his life - In that way in which my wife may think best I bequeath to my two Grand sons William's son John & Elizabeth's son John five hundred dollars each to be paid by my Executors from time to time to complete their Education & also give to each one of them two Negro Boys of suitable ages with themselves to be delivered to their parents in trust as soon as my wife can conveniently do so & to be given to them when they become of Lawful age provided their conduct should be such as to merit it, I bequeath to my Grand son David C. Shanks the sum of five hundred dollars to be paid over to his Mother in trust & to be given to him whenever she may think proper to do so, It is my wish & desire that my Executors should make provision for my Grand son (John's) son John in such a way as they may think best, I appoint my sons Joseph & George Executors with their mother to carry into Execution every part of this my will also to aid her in the final distribution of all my property entailed to them Mother to divide among their Brothers & Sisters as their Mother may think best, It is to be distinctly understood should any misunderstanding arise among my children as to the design of the Testator three or five men shall be chosen by the Legates and refer it to them to decide what the design of the Testator was and no appeal from their decision, I request that this Will may be recorded in the County Court Office of Roanoke and having the utmost confidence in my Executors request the Court to require no security of them, Witness my hand & seal this twenty fifth day of February 1845

John Johnston
Isa. Jeter
C. C. White
D. C. Shanks

At Roanoke County Court July Term 1845 -
This the last will and testament of John Johnston deceased was this day produced in Court proven by the oaths of Isaac Jeter and William C. White witnesses thereto & is ordered to be recorded.
A Copy Teste Samuel W. Jeter Secy.