

John Cunningham of the County of Rockbridge and State of Virginia
do hereby certify that I am a citizen of the State of Virginia and
that I am of sound mind and memory and being in full
Exam^d this my last Will and Testament.

I do hereby order that my Executors shall pay all my just debts as may
convenient out the first money that shall come into their hands either from the
Sale of such part of my estate as shall be sold or from the collection of any
that may be owing to me. I give and bequeath to my son Andrew
John and James all the lands I am now in possession of or have a right to, to be
divided and laid off to them respectively by my Executors as nearly according

following directions as may appear to them to be a just and equal division.
To my son Andrew Two hundred acres including the lands he has improved
on, and also to include the land on the south east side of the South river
and extend far enough up the river to take in all the lands he has cleared

that quarter and perhaps as far up as Burrows patent line and then follow the
up the hill for quantity the line along the south river ridge to be determined
the extent of the quantity of two hundred acres as aforesaid the Division
between Andrew and John part as hereafter mentioned to be a straight line

between patent line toward the land belonging to William Alexander
To my son James one hundred & fifty acres to include the Building
on the land he has improved adjoining the lands of Mr Gibson & Matthew
the great road to the division line betwixt his part and my son John

land and laid off to them respectively by my Executors as nearly according
following directions as may appear to them to be a just and equal division
To my son Thomas Two hundred acres including the lands he has improved
by, and also to include the land on the south east side of the South river
— extend far enough up the river to take in all the lands he has cleared
that extend as far up as Burrows' patent line then follow ^{Matthew}
up the hill for quantity the line along the south river ridge to be determined
the extent of the quantity of two hundred acres as aforesaid the Division
between Thomas and Peter part has been after mentioned to be a straight line

Burrows' patent line toward the land belonging to William Alexander
To my son Samuel One hundred & fifty acres to include the Building ^{and}
mills he has improved adjoining the lands of John Gibson & Matthew
the great road to the division line between his part and my son John
opposite to where the water is taken out to water the meadow then
great road & meadow lands and extend to the Channel Hill so
to include all that is meadow to his Building line in front of Matthew

Comes as far as the quantity aforesaid will cover
To my son John that part of the old ^{tract} purchased of the Spaniards in the
war time all the lands that will lie between my son Samuel & Peter
to extend from William Gibson's & John Alexander's land

Building so as to take in the quantity of two hundred acres the land between
my son John & James's part to be determined & then by the direction of my son
John to leave in John's part two hundred acres or more or less as may be
left according as my lands may measure out - more or less than what I have there
estimated assuming out of my son John's part what may make a comfortable
support to my daughter Esther of Board & clothing while she may remain single
or that my son John shall provide for her decent & comfortable Boarding & clothing
while she does remain single - I give to my son James the Remainder of my
lands estimated at and hundred & fifty acres which will lie adjoining the lands of
Matthew Dennis also Andrew Cavan my son Andrew & John's land But if my
lands should on measurement turn out much different in quantity from
what I have herein estimated then I order my executors to apportion the differ-
ence or surplus among my sons Andrew James John and James agreeable
or in proportion to their respective quantities as above stated.

I give and bequeath to my son John and Daughter Esther each a horse
and saddle the price whereof the son claims and generally ride

I give and bequeath to my daughter Elizabeth a right fifty pounds
English currency which I order my executors to pay to her or her heirs or
order out the money that will arise from the sale of my personal Estate as
soon as the same can be collected - I order my executors to sell whenever
they shall think it meet in the interest of my Legacies my negro man Joseph

I negro Woman Aggy and child Charles and hereby empowered them to convey the
property aforesaid to the purchasers. I also order that all my moveable estate
including household & kitchen furniture shall be like manner to be sold by my Exe-
cutors. The residue of my estate arising from the sales above directed or from
the collection of debts due to me I give and bequeath to my son Archibald and
my daughter Esther to be ^{by} my Executors equally divided between
them allowing the value of the Bond given to Esther more to Archibald
in the divide than to Esther. my daughter Esther to receive her part
when she marries if that should take place or as soon after as it can be con-
veniently be collected by my executors and in case my Daughter Esther should
marry I allow my executors to put all the money arising from the sales above
directed and from collections to interest using proper caution in Lending
the same and proper care to have sufficient security for the same so loaned
and so long as my daughter Esther shall remain single unless that should
be longer than during the minority of my son Archibald I allow the interest
arising from said money so loaned to be applied to schooling my children
James and allow my executors to give or cause to be given to my son
Archibald a liberal education if he shall make choice of
taking one and to be paid out of the said money as the same may be

provided my said executor shall approve of the choice that if they shall
that such Education will not be most suitable for him then they may pay
for him some other employment & send him to some Merchant or Traveller
as they may think meet for his interest - And in case my said Archibald
with the approbation of my executor shall make choice of a liberal edu-
-cation and profession in that case I do not confine my executor to the use
the interest alone is above mentioned But allow them to appropriate
of the principal of my said Archibalds part thereto as will be necessary
that should require the whole of said part and if that should not prove
sufficient to defray the expenses of his education and board of a profes-
sion and in that case I order my sons Andrew Samuel & John & James
to contribute each an equal part of the deficiency, And in case of them
failing to do as I order my executor to sell a part or part of the lands or
given of such one as may fail to ^{contribute} ~~contribute~~ their quota & my said executor
are hereby fully empowered to make Conveyances in fee simple to such
as they may find it absolutely necessary to sell for the purposes above stated
notwithstanding the above bequests. It is my wish and desire that my
executors shall settle up the executorship I entered into with Mr. William
of William Millers Estate with the Court and have my Heir or Heirs
-ged from the obligation I came into in that case as soon as the nature

David
settling
can

the case admit of its being so done - They will find the greater part
the accounts between said Estate & me stated in the hand writing of
- Wm Carruthers which I believe is correct & was drawn up in order to
settle with Court - I do hereby nominate and appoint Andrew
- under name Lexington Edward Graham & William Carruthers
of whom may act as Executors of this my last Will & Testament
annulling & revoking all former wills & Testaments that may
have been made & pronouncing this as my last Will and Test
In Witness whereof I have hereunto set my hand and seal this
- 5th day of December 1809

signed sealed & acknowledged

in presence of

Wm Carruthers

do Alexander

Wm B Donald

Wm Alexander

John Guzman

Codicil to the foregoing Will, viz: I was my intent and is
understood that the foregoing bequests & Disposition of the my last
will, I now revoke, I have & have in my entire competency
in mind at my death an entire bequest to those respective persons
than this is a paper in witness my hand and seal this 5th day of
December 1809

House of Commons April 3rd 1810

produced in Court proved by the oath of John Gammans deced and
subscribing witnesses, thereto and ordered to be recorded together with a Cor-
eib thereto annexed which was also proved by the oath of said Gammans &
At Rockbridge Court April 15th 1810

On the motion of Andrew Alexander Graham &
John Gammans who made oath according to Law probate is granted them of
the last Will and Testament of John Gammans decd in due form they
having together with David Taylor John Alexander Samuel Gammans
& John Gammans their securities entered into and acknowledged bond
in the penalty of \$5000. on condition according to Law

Attest

Geo P. Reid Clerk

Dunlap & Co. Agents to an order of Court and have proceeded to settle the estate of John Gammans
The total amount of the whole estate is
less due against the estate

net of the Legatee being of Dunfoll age have received their
left them by Will and then there remains

\$5933	88
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945	75
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