

Michael Schenck's Will

In the name of God Amen

I Michael Schenck of the Town of Lincolnton
in the County of Lincoln in the State of North
Carolina being of sound & disposing mind &
memory and calling to mind the mortality
of my body do Execute this my last will &
Testament in the following Manner. I give, Give
my Spirit I resign into the hands of God who
gave it & my body to its Mother earth to be
buried in a decent & Christian Manner.
And as touching my worldly Estate which with
it hath pleased God to bless me I will & bequeath
it as follows whereas I have heretofore advanced to
my son John Schenck (now residing in Benton County
State of Alabama) in cash & other property to
the amount of four thousand Dollars & upwards
which is more than I am able to give any of the rest
of my children and the said John Schenck not hav-
ing been able heretofore to refund any of said money
I therefore will & bequeath to my trusty friend William
Hornum of the County of Benton in the State of Alabama
in Trust the plantation whereon my son John
Schenck now lives in the County of Benton in the
State of Alabama, it being the lands conveyed by
John Major to me by Deed bearing date 29th day of
January 1843 on which is a Sulphur Spring and
a few miles and it is my will that the said

Miles Mernathy Trustee, take into his care and
 possession the aforesaid tract of land, and that
 he sell the same either publicly or privately provided
 that he can sell the same for four thousand dollars
 or more and out of the proceeds of said sale he
 is to pay over to my Executors one thousand dollars
 and the balance of the proceeds of said sale after
 defraying the necessary expenses said Trustee is to
 lay out for a good piece of land or vest it in other
 good stock for the use & benefit of my said son
 John Schenck & family and in his Decree the said
 property to be equally divided amongst his heirs
 and should the said Trustee not be able to sell
 the said land for four thousand dollars then &
 in that case he is to let the said John Schenck live
 thereon & occupy it for his own benefit & that of his
 family or lease or rent it out for their benefit
 and after the decease of the said John Schenck the
 said Trustee or his representatives are hereby directed
 to sell said plantation to the best advantage and
 out of the proceeds of said sale to pay over to my
 Executors for the benefit of the rest of my heirs the
 sum of one thousand dollars and the balance
 thereof to be equally divided amongst all the said
 John Schenck's children or their legal heirs and
 I do hereby authorize & empower the said Miles
 Mernathy or his heirs or assigns to do all the above

or more and out of the proceeds of said sale he
is to pay over to my Executors one Thousand Dollars
and the balance of the proceeds of said sale after
defraying the necessary Expenses said Trustee is to
lay out for a good piece of Land or Vest it in other
Good Stock for the use & benefit of my said Son
John Schenck & family and at his Decease the said
property to be Equally divided amongst his heirs
and should the said Trustee not be able to sell
the said Land for four Thousand dollars then &
in that case he is to let the said John Schenck live
thereon & occupy it for his own benefit & that of his
family or lease or rent it out for their benefit
and after the decease of the said John Schenck the
said Trustee or his representatives are hereby directed
to sell said plantation to the best advantage and
out of the proceeds of said sale to pay over to my
Executors for the benefit of the rest of my heirs the
sum of one Thousand Dollars and the balance
thereof to be Equally divided amongst all the said
John Schenck's Children or their legal heirs. And
I do hereby Authorise & empower the said Miles
Hennathy or his legal representatives to Convey the said
tract of land with the appurtenances to the
purchaser thereof by a Deed of Conveyance in full
to my daughter Elizabeth McDaniel & have given
her thence thirty nine dollars for which

I hold her husband Daniel H. McFarries receipt
 I also give & bequeath to her my Negro Boy named
 Charles which I value at five hundred Dollars, and
 five hundred & fifty Dollars in Cash

To my Daughter Barbara Henry I have given
 Seven hundred & fifty Dollars for which she has
 hold Allen Henry's receipt. I also give & bequeath to
 her the further sum of nine hundred Dollars.

I will & bequeath to my Grandson John McPherson
 Three hundred dollars in Cash, To my Daughter
Lavina McPherson I will & bequeath the house & lot

I now occupy is being lot No 16 in the South East
 Square of Cincinnati which I value at seven hundred
 & fifty dollars I also give her lot No 38 in the said
 South East Square of Cincinnati which I value at one
 hundred dollars also lots No 33 & 36 in said Square
 valued at one hundred dollars. I also give her my

Negro man named Andrew. Value at three hundred
 dollars and my Negro woman named Caroline
 Value at three hundred & fifty dollars. I convey to

~~my daughter~~ McPherson by a bill of Sale dated 1836 which
 Negro woman & her children are now in the possession
 of my daughter Lavina McPherson I also will &
 bequeath unto her the further sum of four hundred
 & fifty dollars in Cash, To my son David H. Schenck
 I have given one thousand & twenty four dollars for

To my Daughter Barbara Henry I have given
Seven hundred & fifty Dollars for which sum I
hold Allen Henry's receipt. I also give & bequeath to
her the further sum of nine hundred Dollars.
I will & bequeath to my Grandson John McPherson
Three hundred dollars in Cash, To my Daughter
Lavina McPherson I will & bequeath the house & lot
I now occupy it being lot No 16 in the South East
Square of Cincinnati which I value at seven hundred
& fifty dollars I also give her lot No 38 in the said
South East Square of Cincinnati which I value at one
hundred dollars also lots No 33 & 36 in said Square
valued at one hundred dollars. I also give her my
Negro man named Andrew valued at three ^{& fifty} hundred
dollars and my Negro woman named Caroline
valued at three hundred & fifty dollars I convey to
~~my daughter~~ Lavina McPherson by a bill of Sale dated 1836 which
Negro woman & her children are now in the possession
of my daughter Lavina McPherson I also will &
bequeath unto her the further sum of four hundred
& fifty dollars in Cash, To my Son David W. Schenck
I have given one thousand & twenty four dollars for
which he gave me his receipt. I also will & bequeath
to my said son David W. Schenck the house & lot
he now occupies being lot No 9 in the South East
Square of Cincinnati lying on Main front Street
between lots No 34 & 35 & 36 in the said South

East Square of Cincinnati also a tract of Land
Containing fifty five Acres lying on Mill Branch
of Clarke Creek conveyed by Abraham Markham to
me: The said house & lot The other two lots & The
Tract of land I value at Twelve hundred dollars

To my son Henry Schenck I have advanced in
Cash & other property to the amount of one thousand
& twenty six dollars I also will & bequeath to him
The further sum of nine hundred dollars in
Cash. And after making up and settling off
The foregoing legacies & special bequests and
defraying all necessary Expenses in executing
this my last will & testament The balance of the
property belonging to my Estate if any shall be
Equally divided between my three Daughters
Elizabeth McDaniel Barbara Henry & Sarina McDaniel.
And whereas in the advancements I have made and
The legacies I have herein bequeathed do not make all
my Children Equal in Value I have made them as
nearly Equal as I could conveniently. It is my will
& desire that neither of them be required ~~to pay any~~
to Refund or pay any Debt Except my son John
Schenck, and their legacies remain as I have
made them, And it is further my will & I
hereby direct that if the aforesaid One thousand
dollars directed to be raised by the sale of the plantation

Tract of land I Value at ~~one~~ ^{three} hundred dollars
 & to my son Henry Schenck I have advanced in
 cash & other property to the amount of one thousand
 & twenty five dollars I also will & bequeath to him
 the further sum of nine hundred dollars in
 cash - And after making up and settling off
 the foregoing legacies & special bequests and
 defraying all necessary expences in executing
 this my last will & testament the balance of the
 property belonging to my Estate, if any, shall be
 equally divided between my three Daughters
 Elizabeth McDaniel Barbara Henry & Maria McPherson
 And whereas in the advancements I have made and
 the legacies I have herein bequeathed do not make all
 my Children Equal in Value I have made them as
 nearly Equal as I could conveniently It is my will
 & desire that neither of them be required ~~to pay any~~
 to refund or pay any book Except my son John
 Schenck, And their legacies remain as I have
 made them, And it is further my will & I
 hereby direct that if the aforesaid one thousand
 dollars directed to be raised by the sale of the plantation
 in the State of Alabama be made & paid over to my
 Executors or heirs by my said trustee that sum is to be
 equally divided between my children Henry Schenck
 John Schenck Elizabeth McDaniel Barbara Henry
 Maria McPherson & my Grand Son John Pickens

I hereby nominate & appoint my son Henry Schenck
& David M. Schenck and my son in law Alice
Hamly Executors to Execute this my last Will & Testament
and I do hereby disannul disallow and make void
all other & former Wills by me made or Executed
and do hereby publish and declare this & this only
to be my last Will & Testament, In Witness
Whereof I Michael Schenck have hereunto set my hand
and affixed my seal The 5th day April 1847

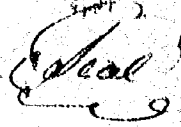
Signed sealed published &
& delivered in presence of us Michael Schenck *(Seal)*
& in presence of each other. [written in German]

J. J. Heyward.
Jno Coulter.

Codicil to the foregoing Will

I Michael Schenck who Execute the foregoing
Will being now of sound mind & Memory do
attach this Codicil making it a part of my last Will
& Testament as follows To wit that is To say I give & bequeath
unto my son David M. Schenck & my daughter Lavina
McPherson jointly & Equally a tract of land containing
fifty five acres lying on Mill Branch a fork of Blacks
Creek conveyed by absolute Mariah to me & being
the tract Will'd in the foregoing Will Exclusively to my
son D. M. Schenck In testimony whereof I do hereby
publish & declare this to be taken as a part to the foreg-
oing last Will & Testament by me made, I ~~Michael Schenck~~

and do hereby publish and declare this & this only
to be my last will & testament, In witness
whereof I Michael Schenck have hereunto set my hand
and affixed my seal The 5th day April 1847

Witness placed published &
& signed in presence of us Michael Schenck 
& in presence of each other. [written in German]

J. J. Alexander
Jno Coulter

Codicil to the foregoing Will

I Michael Schenck who execute the foregoing
Will being now of sound mind & memory do
attach this Codicil making it a part of my last will
& testament as follows to wit that is to say I give & bequeath
unto my son David W. Schenck & my daughter Lavina
McPherson jointly & Equally a tract of land containing
fifty five acres lying on Mill Branch a fork of Clark
Creek conveyed by Abraham Warlick to me & being
the tract named in the foregoing will Exclusively to my
son D. W. Schenck In testimony whereof I do hereby
publish & declare this to be taken as a part to the foreg-
oing last will & testament by me made, ~~I testify~~
In witness whereof I Michael Schenck have this day set
my hand & seal The 19th Feb 1849

J. J. Alexander
D. W. Schenck

Michael Schenck 