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The Last will & testament of John A. McHenry deceased, In the name of God Amen, I, John A. McHenry of the County of Nassau in the State of Virginia, do make, and publish, the last will and testament, in the form following, that is to say I recommend my soul to Almighty God, hoping for eternal salvation only through the abundance of his merits, and the merits of Jesus Christ my blessed Redeemer and Saviour. I appoint Robert D. McHenry, Charles D. McHenry, John A. McHenry and John A. McHenry, Junr the executors of this my last will and testament, to be chosen and bequeath unto the said Robert D. McHenry, Charles D. McHenry, John A. McHenry and John A. McHenry, Junr all my property real and personal or mixed including all debt that shall be due, and coming to me at the time of my death, in trust to have and to hold said property real, personal and mixed to the said Robert D. McHenry, Charles D. McHenry, John A. McHenry and John A. McHenry Junr and to the Survivors and Survivor of them in them in full, as to the real estate, in trust for the following purposes, and for the following purposes, that is to say said Robert D. McHenry, Charles D. McHenry, John A. McHenry and John A. McHenry Junr and the Survivors of them, and the Survivors of them, are to hold the property hereby devised to them in trust, to permit my dear beloved wife Eliza to hold and to enjoy, in as full and ample a manner as the same can be held, and used and enjoyed, for and during the term of her natural life, the tract of land on which we now reside, with the exception of the Lot of Ground with the appurtenances to the which John A. McHenry now resides) with the dwelling house, and all the appurtenances to the same belonging, to have them to her and such of my children as may reside with her, together with all the household and kitchen furniture of every kind and description as having at the time of my death, and also the farming utensils, carriage, and as much of the horses cattle and stock of any kind on the place as in the opinion of my dear wife, and my said Executors it may be judged necessary for her to retain, to enable her to carry on the farming operations in said plantation, and I require my said Executors to aid her by their advice, in the management of said plantation for her and benefit, and the benefit of such

of the children as shall remain with her, And at the death of my dear wife my wife is that trustee herein before named shall have and the part of said tract of land, or plantation which lies east of the Granville road, that is the road going from the Stage Road to Adams Ford, and bounded on the north by the Stage Road, on the east by the land of Nicholas Darn on the South by the lands of Hagans Adams and George Hays, and on the west by the Effenshire Road which passes my dwelling house for the sole and exclusive use and benefit of my daughter Mary E. McHenry for and during her natural life, and the exclusive use and benefit of the heirs of the body of my said daughter after her death, and I estimate the value of the tract or piece of land hereby devised to my said trustee for the sole use and benefit of my said daughter Mary E. McHenry, at five thousand dollars. It is also my will and desire that my said trustee herein before named, shall have and the part of the plantation, on which I now live which lies west of the Granville or Adams Ford Road including the house and Lot on which William C. Snyder now lives together with, the same, and all the appurtenances to said part of my plantation for the sole use and benefit of my son John A. McHenry Junr for and during the term of his natural life, and for the heirs of the body of John A. McHenry after his death, and I estimate the value of the part of said home tract of land devised to my said trustee, for the use and benefit of my said son John A. McHenry at five thousand dollars. It is also my will and desire that my said trustee herein before named shall have the lot or piece of Ground on which John A. McHenry now resides containing by estimation between six and seven acres, and bounded as follows, that is to say running up the Stage Road from the corner of the plank fence on hundred and sixty seven Bars at the end of the Cross fence, and from the beginning corner down along the Granville Adams Ford Road one hundred and eighty three Bars to the land fence, and then easterly along the land fence one hundred and sixty Bars to the end of the Cross fence, then along the Cross fence to the line on the Stage Road the last named line to run from the east end of the Stable of said McHenry, and also to have the tract of land on the North side of the Stage Road which I have devised to my said trustee

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Wills B. Mitchell, containing about one hundred and twenty acres of land, bounded on the south by the State Road, on the east by the land of George Hale, on the west by the land of W. B. Mitchell and on the north by the State, for the sole use and benefit of me and benefit of my daughter Susan C. Atterland, and her husband John Atterland, for and during their natural lives, and the life of the longest liver of the two and at the death of the said Susan C. Atterland and the said John Atterland, then to have said lot of ground and part of land, for the sole use and benefit of Eliza A. Atterland their daughter and any children the said Susan C. Atterland may hereafter have, as tenants in common, and I estimate the value of the lot of ground and tract of land hereby devised to my said daughter for the benefit of the said Susan C. Atterland and John Atterland, and their children at seven thousand two hundred dollars.

It is also my will that my trustees herein before named, shall have the tract of land now in the possession of Charles McKimney, containing upwards of eleven hundred acres and bounded on the south by the Holston River, on the west by land of James Hazen's heirs, and on the north by the land of George Hale for and to the sole and exclusive use and benefit of the said Charles McKimney for and during the term of his natural life, and at the death of the said Charles McKimney, for the sole use and benefit of Danny McKimney the daughter of the said Charles McKimney and any other children of the said Charles McKimney, may hereafter have as tenants in common, subject nevertheless to a right of dower in the wife of the said Charles McKimney, if she should survive him, and I estimate the value of the tract of land hereby devised to my said daughter for the use of my said son Charles McKimney and his heirs at seven thousand dollars.

It is also my will, that my said trustees hold the lot of ground in the town of Permiun with the

John A. McKimney will Continued.
dwelling house, and other appurtenances, to the same belonging, now in the possession of Charles H. Coffey, and bounded by Main Street on the south, by the lot of James H. Hays on the west, and by another street on the north, and also another lot on the back street, also in the possession of the said Charles H. Coffey, and also a tract or parcel of land, adjoining the lands of Joseph Ramee Lazarus Spear, and Harpner Harris and the Holston River, containing by estimation five hundred and fifty acres, and on which Henry and Benjamin, now reside, to and for the sole and exclusive use and benefit of my daughter Margaret McKimney, for and during her natural life, and at her death, to have the same for the use of the body of the said Margaret McKimney, as tenants in common, and I estimate the value of the two lots in Permiun, and the tract of land, hereby devised, to my said daughter for the use and benefit of said daughter Margaret and her heirs, at seven (7) thousand dollars.

It is also my will, that my trustees herein before named shall hold the vacant town and lot of ground on which the same is situated with all the appurtenances to the same belonging, and bounded on the north by Main Street, on the south by another street, on the east by the public square and a lane, and on the west by a lot of Isaac Simpson, and the land below town, which I purchased of Charles Armstrong, and his wife, containing about one hundred and fifty acres, and joining of Louisiana Mitchell and James Walker and the lands of Will Simpson, to wit for the sole use and benefit of the children of my daughter Sarah Ann McKimney for and during the term of her natural life, and at her death, to have the same for the sole use and benefit of the heirs of the body of the said Sarah Ann McKimney as tenants in common, and I estimate the value of the lot and tract of land hereby devised to my said daughter for the use of my said daughter Sarah Ann and her heirs, at thirteen thousand dollars.

It is further my will that my said trustees, shall out of my personal estate, and the debt due to me, the sum of one thousand dollars to my daughter Margaret McKimney and five thousand dollars to my daughter

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Spain & Netherlands, then thousand dollars, to my daughter Margaret McKinnis, one thousand dollars to my daughter Sarah McKinnis, and eight thousand dollars to my son John A. McKinnis which I give with the real estate devised for their further use make all my children equal giving to each, ten thousand dollars, and I desire in my will either to lay out said sum of money in land for the use of my said children or to secure the sum for their sole use and benefit for life, and after their death, to their children or heirs at law, but if in my life time I shall, any money or property to any of my children when sum of the real estate does not amount to the sum of ten thousand the property to give or manage said is to be considered as taken or divided out of the sum herein devised to be secured by my trustee to their use. It is my will that my trustee pay to and for the use of the said Margaret McKinnis one hundred and fifty dollars yearly for and during the life of her mother and so much of the yearly interest due to me by the New England St. Trs, is truly appropriated to that purpose; and if said money which is secured by deed of Mortgage I shall to pay in during the life of my dear wife, then my will is, that my trustee shall lay out or give & invest, as much of said money as will make the yearly sum of two hundred and fifty dollars to be paid as aforesaid to my daughter Mary & to my wife for the support of herself and each of the children as my wife with her.

My Law Books of any kind, I give to my son John McKinnis absolutely, and the residue of my books, I give as I do use the household and kitchen furniture, at the death of my beloved wife, I give to my daughter Mary McKinnis, any part of the stock on the farm that in the opinion of my dear wife and trustee ^{shall} does not need to keep I require my trustee to sell and to collect all the debts due me, as soon as practicable, and to pay my debts and the residue to her in some safe manner conveying out the same amount in good security within a due

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time I have take place, and if any children shall remain after making such one, in the manner herein before described, the sum of five thousand dollars each my wife that said children shall be equally among my children, on the death of their mother the intent which I have in the land and I am making estate must at Emburyville in Washington County, and small part of the whole, and for which I paid about six thousand two hundred dollars, I desire my trustee dispose of as such terms as to them shall seem best, the agreement respecting the same is in my desk among my papers, so in like manner I desire them to dispose of the tract of land at Acorn first and also the Mills, and sundry small tracts of land adjacent to the same unless my son John Choate to take them at a reasonable valuation, the negroes slaves of which I am the owner, my will is, that they shall remain on the plantation hereby devised to my dear wife for life, they are to be under the control of my said wife and trustee, and to labor for their support, and the support of my dear wife and each of my children and may continue to reside with her, and at my wife's death, they are not to be sold to strangers but each one to have the choice of what of my children he or she may think proper to choose for his or her master or mistress, unless I should hereafter make another provision respecting them, the debts due by me, and those due me, will be found enumerated in a paper book, marked A, which was found with this will, and I hereby revoke any former will by me made by me. In testimony whereof I have hereunto set my hand and affixed my seal, this 13th day of March 1845.

Witness by

William C. Ingers.

Santa Beat, 8th July 1848

John A. McKinnis