

County Court house: Hagerstown, Washington Co. Maryland.

Pg. 222- will Aug 29th 1809
223- Codicil Aug 21st 1810
224. Probate May 16th 1811

John Hershey

In the name of God Amen: I John Hershey of Washington county in the state of Maryland being in perfect health of body and of sound and disposing mind memory and understanding considering the certainty of death and the uncertainty of the time thereof and being desirous to settle my worldly affairs and thereby be the better prepared to leave this world when it shall please God to call me hence do therefore make and publish this my last will and testament in manner and form following that is to say: First and principally I commit my soul into the hands of almighty God and my body to the earth be decently buried at the discretion of my Executors herein after named and after my debts and funeral charges are paid I desire and bequeath as follows.

I give and devise unto my son David two hundred acres a part of the plantation whereon I now dwell together with all and singular the improvements and impurtances hereunto belonging to him his heirs and assigns forever who plantation I value to him at fifteen pounds per acre out of which I will to him and his heirs or assigns six hundred pounds. The residue of the money arising out of the said plantations my son David shall pay it unto the hands of my executor or there legal representatives in manner following viz one thousand pounds on the first day of May in the year of our Lord one thousand eight hundred and twelve which shall be by them equally divided between ten of my children viz:-

X 3000

Andrew, John, Christian, Jacob, Joseph, Ana, Magdale
Barbara, Elizabeth and Freny or their lawfull heirs

share and share alike. the remaining fourteen hundred pounds arising out of said plantation according to the valuation made by me as aforesaid shall likewise be paid by him the said David in seven (7) payments of two hundred pounds each. the first payment of two hundred pounds to be paid the first day of May in the year of our Lord One thousand eight hundred and fifteen and two hundred pounds annually until the sum of fourteen hundred pounds is fully paid. It is further my will that the seven payments of two hundred pounds each shall be divided between my son David and all the rest of my children or their lawfull heirs share and share alike to be divided by my Executor in manner following:

(annual)

The first payment to be divided between my two oldest children Ana and Andrew

The second payment to be divided between the two next in age and so (7) in rotation so as each gets an equal share.

(in)

It is further my will that the tract of land by me reserved containing forty two acres more or less being a part of the plantation not devised to my son David. adjoining lands of Henry Landis shall be sold by my executor within one year after my decease and they shall hereby have full power to make a good and lawful deed for the same and the money arising therefrom shall be equally divided between all my children or their lawfull heirs share and share alike.

The mountain land Down lying and being in
Frederick County, Maryland shall likewise be sold by
my executors with full power to make a good title for
the same and the money arising from the sale thereof
shall be equally divided between all my children or
those lawful heirs. It must be understood that in the
bequest which I have hereby made that each and
every one of my children shall have six hundred
pounds each the money arising over and above the
sum of six hundred pounds of each one (share)
shall be equally divided between all my children
and what any of my children have already received
or shall receive during my lifetime as shall appear
by accounts shall be considered as part of their
portion in all and every respect: each of my children
shall receive exactly share and share alike. It is
my will that my household property which I shall
leave at my decease shall be appraised by two uninterested
men of good repute and my executors shall divide the
same according to the appraisement between all my
children share and share alike and as
some of my children live at a great distance from here

it is my will that my sons Andrew, John, David, Jacob,
and sons-in-law John Shop, Christian Shelly and
John Eby

shall take it at the appraisement and shall give those
living at a distance their parts in money.

It is further my will that my executors shall
settle and collect all my outstanding debts, what is
due to me either by Bond note ^{or} and book accounts

and in the hole make an equal distribution between all my children aforesaid.

Lastly I constitute and appoint my two sons Andrew and John to be my Executors of this my last will and Testament. In testimony whereof I have herewith set my hand and affixed my seal this Twenty ninth day of August in the year of our Lord one thousand eight hundred and nine.

John Hershey (in German) } Seal

Signed, sealed, published and declared by John Hershey the above named Testator he and for his last will and Testament in the presence of us who at his request in his presence and in the presence of each other have subscribed our names as witnesses thereto.

Philip Dunning (in German) Samuel Redensue
Proprietor of Juraffen

Whereas I John Hershey of Washington County and State of Maryland have made and duly executed my last will and testament in writing bearing date the twenty ninth day of August in the year eighteen hundred and nine which I said will and testament and every clause bequest and devise therein I do hereby ratify and confirm (saving an excepting such clauses bequests and devises therein mentioned as are by hereinafter revoked and made void) and being desirous to alter some parts thereof and making additions thereto do therefore hereby make this my

Codicil, which I will and direct shall be taken and be
as part of my said will and testament in manner and
form following, that is to say: I give and devise and
my son David his heirs and assigns forever all
my plantation wherever I now live supposed to
contain two hundred and forty two acres of land with
I value to him at fifteen pounds per acre. And
whereas by the said will he was to pay one
thousand pounds on the first day of May
eighteen hundred and twelve it is now my will
and devise that he shall pay the one thousand
pounds on the first day of May in the year
eighteen hundred and eleven and the residue of
the payments in annual payments of two hundred
pounds each on the first of May eighteen
hundred and twelve and so on until the whole
is paid. In witness thereof I have here unto set
my hand and affixed my seal this thirty first day
of August in the year eighteen hundred and ten.

John Hershey (In German) } Seal

Signed sealed published and declared by
John Hershey the above named testator as and
for a Codicil to his last will and testament in the
presence of us who at his request in his presence
and in the presence of each other have subscribed
our names as witnesses thereto the word 'forever'
in the codicil interlined before signed.

Cra Wasey Henry Dutz (In German)

Hannibal Helty

Washington County to wit On the 16 day of May 1811 came John Hershey and Andrew Hershey and made on the Holy Evangel of Almighty God that this is the true and whole will of John Hershey late of said county deceased that hath come to their hands and possessions and that they do not know of any other. At the same time came Philip Dusing Samuel Redenour and Daniel Welty and made oath on the Holy Evangel of Almighty God that they did see the Testator herein named sign and seal this will, that they heard him public pronounce and declare the same to be his last will and testament that at the time of his so doing he was to the best of their apprehensions of sound and disposing mind memory and understanding and that they subscribed their names to this will in the presence and at the request of the testator and that they saw the other subscribing witness do the same.

Certified by George C. Smoot. Reg.

Note: These wills are hand written; long on words; short on periods, commas and indentation: - a soiled package visually. This is a copy except for the indentation and italics (which are mine) which has the purpose of unburying the Genealogy. Furthermore the court house copy machine reduces the copy necessitating ^{the use of} a magnifying glass on