

Will of Tirzah London

Amherst County, Virginia: Will Book B, pp. 18-19

I Tirzah London of the County of Amherst and state of Virginia do hereby make this my last will and testament in manner and form following. That is to say

1st It is my will and desire that all my just debts and funeral expenses be first paid.

2nd I give to my grand daughter Mary Ann Woodroof one hundred dollars to be paid out by my Executors towards her education.

3rd I give to my grand daughter Tirzah Elizabeth Higginbotham one hundred dollars to be paid out by my Executors towards her education.

4th I give to my grand daughter Virginia Daniel Woodroof one hundred dollars to be paid out by my Executors towards her education.

5th I give to John J. London and Daniel H. London one negro girl Sarah and her future increase to be held by them in trust for the use, benefit, and support of my daughter Frances I. Woodroof and the hires and profits arising therefrom to be paid by them to her or applied in that way they think will best contribute to her support and comfortable maintenance during her life and at her death to hold the same property in the same way for the use, benefit, and support of her children: but should the said girl Sarah die without issue or before she had been in the possession of the above named Trustees twelve months then and in that case I desire another girl of equal value be substituted out of my estate in the place of Sarah and to be held by the same Trustees for the use and benefit of my said daughter upon the terms and conditions above mentioned.

6th Having acquired by purchase the lands formerly owned by my deceased husband John London, I hereby authorize my Executors hereafter named to sell the same, whenever they in their discretion may think most advisable either for cash or on time by way of public auction or privately, and the proceeds to be divided and distributed as the remainder of my estate as hereafter provided for, my Executors will rent out the land until they sell the same and divide the rents as my other estate.

7th It is my will and desire that the whole of my estate except the legacies above bequeathed be divided by my Executors into six parts as nearly equal as they in their judgement can make them (and if my children cannot agree which lot each shall take then and in this case they draw for the same) one sixth part of which I give to John J. London and Daniel H. London, to be held by them in trust for the use benefit, and support my daughter Frances I. Woodroof and the hire and profits arising therefrom to be paid by them to her or applied in that way they think will best contribute to her support and comfortable maintenance during her life, and after her death to hold the same property in the same way for the use , benefit, and support of her children.

One sixth part of I give to the said John J. London and Daniel H. London, to be held by them in trust for the use benefit, and support my daughter Ann Elizabeth Higginbotham and the hire and profits arising therefrom to be paid by them to her or applied in that way they think will best contribute to her support and comfortable maintenance during her life, and after her death to hold the same property in the same way for the use , benefit, and support of her children.

One sixth part of my estate I give to the said John J. London and Daniel H. London, to be held by them in trust for the use benefit, and support my daughter Mary Banks London and the hire and profits arising therefrom to be

paid by them to her or applied in that way they think will best contribute to her support and comfortable maintenance during her life, and after her death to hold the same property in the same way for the use , benefit, and support of her children if she should leave any, but in the event of her death without having a living child or children or grand child or children then this portion of my estate to revert to the balance of my children and to be divided into five equal parts as the balance of my estate giving one part to each of my other children subject to the same trusts and conditions as hereinbefore mentioned. One sixth part of my estate I give to John J. London in fee simple. One sixth part to my son Daniel H. London in fee simple. And the remaining sixth part I give to my son William Augustus London in fee simple.

8th It is my will and desire that my Executors have no appraisement or sale of any part of my estate (except the land) but that they divide the same as above mentioned.

And lastly I do hereby constitute and appoint my brother Daniel Higginbotham and my two sons John J. London and Daniel H. London my executors to this my last will and testament and as I repose full confidence in their honesty and integrity I request that the court will permit them to qualify and act as executors without being required to give security.

It is also my will and desire that this my last will and testament be admitted to record in the Circuit Superior Court of Law and Chancery for the County of Amherst.

Given under my hand and seal this sixth day of July 1839.

Tirzah (her mark) London {seal}

Signed sealed and acknowledged in
the presence of
Henry L. Davies
Nelson Burch

I do hereby make and ordaine this a codicil to my last will and testament that is to say that if my sons or either of them shall die without a legal child or children then I wish that his or their portion of my estate revert to the balance of my children, and to be equally divided between them subject to all the trusts of the balance of my estate as herein before mentioned. Given under my hand and seal this 28th day of July 1841

Tirzah (her mark) London {seal}

Signed sealed and acknowledged
in the presence of
H. L. Davies
Nelson Burch

I also desire that my executors pay out one hundred dollars towards the education of my grand daughter Mary A. Higginbotham. I wish the tract of land bought by me of James S. Higginbotham to be divided, as the stage road now runs giving to D. H. London that part of it north of the road and that part of it south of the road I wish attached to the tract I live on and divided between Mary B. London and W. A. London.

Given under my hand this 28th day of July 1841

Tirzah (her mark) London {seal}

Genealogical Analysis

Will of Tirzah London

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- Tirzah London
 - Resident of Amherst County, Virginia
 - Died after 28 Jul 1841
 - Will dated 6 Jul 1839
 - Codicil dated 28 Jul 1841
- Spouse
 - Husband – John London (deceased)
- Children
 - Son – John J. London
 - Son – Daniel H. London
 - Daughter – Frances I. Woodroof
 - Daughter – Ann Elizabeth Higginbotham
 - Daughter – Mary Banks London
 - Son – William Augustus London
- Grand Children
 - Granddaughter – Mary Ann Woodroof
 - Granddaughter – Tirzah Elizabeth Higginbotham
 - Granddaughter – Virginia Daniel Woodroof
 - Granddaughter – Mary Ann Higginbotham
- Others Mentioned
 - Brother – Daniel Higginbotham
 - James S. Higginbotham
- Witnesses
 - Henry L. Davies
 - Nelson Burch
- Probate
 - Executors
 - Daniel Higginbotham
 - John J. London
 - Daniel H. London

I Sigah Lord on of the County of Amherst and State of Virginia do hereby make this my last will and testament in manner and form following. That is to say -

1st It is my will and desire that all my just debts and funeral expences be first paid -

2nd I give to my Grand Daughter Mary Ann Woodruff one Hundred Dollars to be paid out by my Executors towards her Education -

3rd I give to my Grand Daughter Sigah Elizabeth Higginbotham one Hundred Dollars to be paid out by my Executors towards her Education -

4th I give to my Grand Daughter Virginia Daniel Woodruff one Hundred Dollars to be paid out by my Executors toward her Education -

5th I give to John J. London and Daniel H. London one negro Girl Sarah and her future increase to be held by them in trust for the use, benefit, and support of my Daughter Frances J. Woodruff and the hire and profits arising therefrom to be paid by them to her or applied in that way they think will best contribute to her support and comfortable maintenance during her life and at her death to hold the same property in the same way for the use, benefit, and support of her children: but should the said Girl Sarah die without issue or before she had been in the possession of the above named Trustees twelve months, then and in that case I desire another Girl of equal value to be substituted out of my estate in the place of Sarah and to be held by the same Trustees for the use, and benefit of my said Daughter upon the terms and conditions above mentioned -

6th Having acquired by purchase the Land formerly owned by my deceased Husband John Lord on, I hereby authorize my Executors hereafter named to sell the same, whenever they in their discretion may think most advisable either for cash or on time by way of public auction or privately, and the proceeds to be divided and distributed as the remainder of my estate as hereafter provided for; my Executors will rent out the Land until they sell the same and divide the rents as my other Estate -

7th It is my will and desire that the whole of my Estate except the legacies above bequeathed be divided by my Executors into six parts as nearly equal as they in their Judgment can make them (and if my Children cannot agree which lot each shall take then and in that case they draw for the same) one sixth part of which I give to John J. London and Daniel H. London, to be held by them in trust for the use, benefit, and support my daughter Frances J. Woodruff and the hire and profits arising therefrom to be paid by them to her or applied in that way they think will best contribute to her support and comfortable maintenance during her life, and after her death to hold the same property in the same way for the use, benefit, and support of her children -

one sixth part I give to the said John J. London and Daniel H. London to be held by them in trust for the use, benefit, and support of my daughter Ann Eliza Higginbotham and the hire

and profits thereof to be paid by them to her or applied in that way they think will best contribute to her support and comfortable maintenance during her life and after her death to hold the same property in the same way for the use, benefit and support of her children - one sixth part of my estate I give to the said John of London and Daniel de London to be held by them in trust for the use and benefit of my daughter Mary Banks London and the heirs and profits arising therefrom to be paid by them to her or applied in that way they think will best contribute to her support and comfortable maintenance during her life and after her death to hold the same property in the same way for the use and benefit and support of her children if she should leave any, but in the event of her death without having a living child or children, or grand child or children then this portion of my estate to revert to the balance of my children and to be divided into five equal parts as the balance of my estate giving one part to each of my other children subject to the same trusts and conditions as hereinbefore mentioned - one sixth part of my estate I give to John of London in fee simple -

one sixth part to my son Daniel de London in fee simple - and the remaining sixth part I give to my son William Augustus London in fee simple -
8th It is my will and desire that my executors have no appraisement or sale of any part of my estate (except the lands) but that they divide the same as above mentioned, and lastly I do hereby constitute and appoint my brother Daniel Higginbotham and my two sons John of London and Daniel de London my executors to this my last will and testament and as I repose full confidence in their honesty and integrity I request that the court will permit them to qualify and act as executors without being required to give security -

It is also my will and desire that this my last will and testament be admitted to record in the Circuit Superior Court of Law and Chancery for the County of Amherst -

Given under my hand and seal this sixth day of July 1837
Signed sealed and acknowledged in
the presence of
Henry L. Davies
Nelson Burch

Suzah^{her} London
mark

I do hereby make and declare this a codicil to my last will and testament that is to say that if my sons or either of them shall die without a legal child or children then I wish that his or their portion of my estate revert to the balance of my children, and to be equally divided between them subject to all the trusts of the balance of my estate as herein before mentioned - Given under my hand and seal this 28th day of July 1841

Suzah^{her} London
mark

Signed, sealed, and acknowledged
in the presence of
H. L. Davies
Nelson Burch

I also desire that my executors pay out one hundred dollars towards the education of my grand daughter Frances L. Wood of, and one hundred dollars towards the education of my grand daughter Mary A. Higginbotham. I wish the tract of Land bought by me of James S. Higginbotham to be divided, as the stage road now runs giving to S. H. London the part of it north of the road and that part of it south of the road, I wish attached to the tract I live on, and divided between Mary B. London and W. A. London -

Given under my hand and seal this 28th day of July 1841 - Suzah^{her} London
mark