

Hutton Family Papers
Library of Virginia, Richmond
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Copy of Arthur Hutton's will
will dated 13 Nov. 1873
Transcribed by D. Powell from a digital image shared by Grant Hutton

Envelope addressed to:

S.J. Hutton Esq.
Glade Spring
Washington Co.
Virginia

Return address:

D.C. Cumming
County Court Clark
Washington County, Abingdon, VA

Postmarked at Abingdon VA ___ 1895

A Copy of Arthur Hutton's will

Know all men by these presents, that I Arthur Hutton of the county of Washington, state of Virginia being in feeble health, but of a sound mind and a disposing memory do make this my last will and testament.

1st. I will that all of just debts be paid.

2nd. I will to my wife Ellen Hutton all of my house-hold and kitchen furniture including all beds and bedding except one bedsted [sic] and bedding and my pianoforte. I also will to my wife all my books. I also will to my wife two bay mares they are known by the names of Beck and Lize and two milk cows of her own choice. All of the above named property willed to my wife is to be at her death at her own disposal. I will to my wife my carriage and harness to have it only during her natural life. I will that my wife have full control and possession of the brick mansion house during her natural life and as many of the out buildings and as much barn and stable room as she may think necessary for her use during her natural life.

3rd. I will to my daughter Ann Crow to have during her lifetime the place on which she now lives. it is known as the John Hutton tract and contains 78 acres and one quarter by survey. At the death of said Ann Crow I will that the tract of land which I willed to her during her lifetime be divided equally amongst her children.

4th. I will to my son Jas. D. Hutton the old tract containing 129 acres on which the brick house is built, this tract was patented to my grandfather John Hutton. I also will to my son Jas D. Hutton a tract of land I bought of John Clark and wife containing 11 acres and

1/2 as per deed from said Clark and wife. I also will to my son Jas D. Hutton a piece of land to be taken off the Dixon Hutton tract with the following boundary, Beginning at a ~~stake~~ corner near the corn crib thence a northerly course near the creek known as Hutton creek until it comes to the division fence of the John Hutton tract. Thence a westerly course with the line of the Dixon Hutton and John Hutton tracts to where 3 white oaks stood as corners and with the same division fence a north course to a big white oak near B.F. Browns house thence a westerly course to three white oaks known as the Beatie corner, thence with the Beatie line a south course to where a white oak stood as a corner, thence with the line which was between the old tract of 129 acres which was patented to my grandfather, John Hutton and the Dixon Hutton place to the beginning. I will the three above described tracts to my son Jas D. Hutton on the condition

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That he pays to my executors the sum of \$800. The use and disposition of this money will be mentioned hereafter. I will to my son Jas D. Hutton one beadstead [sic] and bedding.

5th. I will to my son Joseph S. Hutton the tract of land containing 160 acres, more or less on which he now lives. This tract is known as the old James Meek place. I also will to my son Joseph S. Hutton a tract of land containing 53 acres more or less[,] this is the tract that James Clark conveyed to my father James Hutton these two tracts join each other. I will the two last named tracts to my son Joseph S. Hutton on the condition that he pay my executors the sum of \$500. The use and disposition of this money will be mentioned hereafter.

6th. I will to my son Samuel J. Hutton all of the Dixon Hutton ~~plae~~ tract except [sic] that part of it I willed to my son James D. Hutton. I also will to my son Samuel J. Hutton ten acres of timbered land to be taken off the west end of the Snodgrass place. I will the two last named parcels of land to my son Samuel J. Hutton on the condition that he pay my executors the sum of \$300, the use and disposition of this money will be mentioned hereafter.

7th. I will to my daughter Nancy J. Hooper during her life time 175 acres of the north end of the Snodgrass & Jameson place so as to include the old Hayter building. At the death of said Nancy J. Hooper I will and direct it to be divided equally between her children.

8th. I will to my daughter Issabella Cox during her lifetime that part of the Shugartville farm which lies east of the creek and thence running with the lane a south course until you come to the bridge at the creek, thence with the creek to Henry Digg's line; at her death I will that this land be equally divided between her children.

9th. I will to my daughter Amanda M. Wade during her life-time the quantity of land lying north of the following lines. It being a part of the Shugartville farm. Beginning at a division fence now made running west through the old field about 40 rods long to an offset, thence running with the division fence about 20 ~~rods~~ poles, thence with a fence running west say 40 ~~rods~~ poles, thence say 20 poles a north course __ to the woodland,

thence about 40 poles a west course to the corner of a new field the quantity of land to be laid off north of these lines to be 160 acres also a strip of land lying west of the creek over to the road say some two or three acres. At the death of my daughter

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Amanda M. Wade, I will that the 2 parcels of land willed to her during her lifetime be equally divided among her children.

10th. I will to my grand-daughter Sarah Josephine Hutton, who lives with me the balance of the Snodgrass and Jameson place. I also will to her my pianoforte at my wife's death. I also will her \$500 to be paid out of the sale of the Shugartville land ~~not already willed~~ to be mentioned hereafter.

11th. The balance of my Shugartville land not already willed I want sold when my executors think it advisable to sell it. I leave it discretionary with them when to sell it. Just when they think it will bring the most money. They have the liberty to sell this land publicly or privately. I desire that it be rented for the present. After all expenses are paid in selling this land, and my grand-daughter Sarah Josephine Hutton is paid the \$500 already mentioned I will the balance to be equally divided amongst my children.

12th. I have 10 shares of Virginia and Tennessee Rail Road Stock. I will 4 shares of said stock to my son James D. Hutton. Three shares of said stock to my son Joseph S. Hutton and the 3 remaining shares of said stock to my son Samuel J. Hutton.

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13th. I will that the balance of my personal ~~and real~~ property not already willed such as live stock of all kinds, all farming utensils, black-smith tools, etc. to be sold at a public sale on a credit of 12 months. The proceeds of the sale of this property to go to the payment of my just debts. If there is a surpluss [sic] after paying my debts, it is to be equally divided amongst my wife and all of my children. The \$800 which son James D. Hutton is to pay my executors and the \$500 which son Joseph S. Hutton is to pay my executors, and the \$300 which Samuel J. Hutton is to pay my executors I will ~~in the~~ that these 3 sums go in the first place to pay my indebtedness .

Lastly, I constitute and appoint my sons James D. and Joseph S. Hutton as my executors. And I do not require them to give any security for the performance of this executorship. This given under my hand and seal this 13th day of November 1873.