

Will of John McMurry, son of William McMurry, Jr.

From Washington County, Kentucky Wills, p. 130, 131

John McMurry

August 25, 1823

No Date.

Being in perfect health, etc.

In the first place I give unto my son **Thomas McMurry** the farm whereon I now live containing about two hundred acres. It is my will to keep this land in my own possession during my natural life and if my wife **Elizabeth McMurry** should outlive me it is my desire she should also keep the said farm during her life, etc., and at her death to go in the way above directed.

To my daughter **Elizabeth McMurry** I give one Negro girl by the name of Maria and one Negro boy by the name of Harry. Horse and saddle, feather bed and furniture.

To my daughter **Jane McMurry** I give a Negro girl named Monarch also Negro boy named Alfred. Horse and saddle and feather bed and furniture.

To my son **Thomas McMurry** I give my farming utensils in every description.

I will that all the live stock should be equally divided between my son **Thomas McMurry** and my two daughters **Elizabeth** and **Jane McMurry**.

I give to my two daughters **Elizabeth** and **Jane** all my kitchen furniture of all kinds.

I have always had it in complensation (?) [compensation, consideration] and still have to divide my estate equally among all of my children the way I have distributed my money and property among my children here to fore as follows: to **William McMurry** my son I have given eight hundred and sixty dollars, for which I have his receipt of January 14, 1817 to my daughters **Peggy Scanlong**, **Martha Washburn**, **Polly Garris Wert**, I have given eight hundred dollars each and to my two sons **James McMurry** and **John McMurry** I have given eight hundred dollars each.

To my sons **Thomas McMurry** I give one hundred acres of woodland joining **John Reed** on the south east side. It being a part of the four hundred acres that **John Scanland**, **William** and **James McMurry** my sons and myself bought of **Robert Grundy**. To the same **Thomas McMurry** I give one cupboard, my new clock, one bed stead, and furniture, one horse and saddle and all the buildings on the place where I now live.

My Negro man Steven I bought in the year 1807 and the rules of the Methodist Church to which I belong that is "the rules of their conference allowed me to keep Steven in slavery twenty three years and nine months and then set him free and I am still willing to provide by it and do say pointedly that he shall be freed accordingly and his Steven's wife Sall (?) [Sally] I say shall be freed at the same time said Steven is provided that she is willing to leave the family and not otherwise."

My Negro man Dick and Amy his wife I say appointenly (?) [pointedly] declare shall be set free from their slavery on the twenty fifth day of August in the year of our Lord 1838. My reason for setting Amy and Dick free are because they are and have been honest industrious slaves.

If I should die before them two expires it is my will that my wife **Elizabeth McMurry** may keep Dick and Amy for her own benefit during the balance of their servitude, etc.

My Negro man Gam after the death of my wife **Elizabeth** shall be sold and the money equally divided between my legatees¹ to my two daughters **Elizabeth** and **Jane McMurry**, my two horses and my book I give to **Thomas McMurry**, etc.

Witnesses:

James Dever
James Bradford

John McMurry
Book D, Page ____

Codicil²: There is a codicil regarding the change in the disposition of the slaves of no interest also a debt due from **Nathan H. Hall** and **Edward Penick** which he divides equally among his daughters **Elizabeth** and **Jane**.

Witnesses:

Hezekiah Bailey

His
John X McMurry
Mark

¹ LEGATEE - Also known as a beneficiary. Person named in a will to receive property. A legatee is a person to whom a legacy is given by a last will and testament. (Lectric Law Library Lexicon)

² CODICIL - A document that is executed by a person who had previously made his or her will, to modify, delete, qualify, or revoke provisions contained in it. (The Free Dictionary by Farlex)

*Editor's Note: This will was made on August 22, 1823, and probated on December 23, 1832. **John McMurry** died on November 7, 1832. He was survived by his wife **Elizabeth McClellen McMurry**. This is a copy of a previous transcription. At the time of **John McMurry's** death the little community of Bradfordsville was in Washington Co., Ky. Two years later, in 1834, Marion Co. was formed from Washington Co., and so the **McMurry** homestead became a part of Marion Co., Ky. Two of the daughter's married surnames have been spelled incorrectly:
Margaret "Peggy" McMurry married **John Scanland**.
Polly Garrett McMurry married **Fielding Bradford West**.*

*Mike McMurray
July, 2009*