

COPY OF THE WILL OF GEORGE HEYBURN, BORN JANUARY 16, 1765,  
Died APRIL 27, 1833

I George Heyburn of Christiana Hundred in the County of New Castle in the State of Delaware being advanced in age and weak in body, but of sound mind memory and understanding do make and publish this my last will and Testament in manner and form as follows to wit.

First It is my will that all my funeral expences and just debts be paid and fully discharged out of my estate as soon as the same can reasonably be done after my decease.

Item. I give and devise to my beloved wife Elizabeth Heyburn the sum of one hundred and twenty Dollars yearly during the term of her natural life out of the plantation and tract of Land whereon I now dwell the said annuity to be paid to her in equal half yearly payments of Sixty dollars each. The first payment to be made at the expiration of Six months after my decease. I also give and bequeath to my said wife one best feather Bed and Bedding and one bureau which altogether is to be in lieu of dower or any other claim against my estate. Item as I have heretofore given and conveyed a Plantation in Delaware County Pennsylvania to each of my sons John and George and allowed them therein what I consider their several shares of my estate I now give unto each of my said sons the sum of Ten Dollars but nothing herein contained shall affect or make void the obligations I hold of my sons respectively.

Item I hereby authorize and empower my Executors hereinafter named or the Survivors or Survivor of them at such time as they or he may think proper between the time of my decease and the twenty-fifth day of March next following to expose to publick sale and sell to the best advantage and for the highest price that can be obtained, all my real estate whatsoever as well as that in the State of Pennsylvania as

what I hold in the State of Delaware, and to make, seal, execute and deliver all such deed or deeds of conveyance to the purchaser or purchasers thereof as shall be necessary, as fully and effectually as I myself now might or could do: Provided that this plantation whereon I now dwell or so much of it as shall be adequate thereto shall be sold subject to the payment of the before mentioned annuity to my wife, and at her decease the principal sum of two thousand dollars to be equally divided among all my daughters then living, and the children of those who shall have died, such children to take the parents share only. And provided that from the time of my decease until the 25th day of March next following my wife and daughters Susanna and Mary and the two children shall and may continue to dwell as they now do, and shall during that time be allowed comfortable subsistence out of said farm free from any rent or charge whatever and for and during the same period, the annuity herein before mentioned and payable to my said wife shall not be paid anything herein contained to the contrary notwithstanding.

Item. I give and bequeath to my daughter Susanna the sum of two hundred dollars over and above her share of the two thousand dollars above mentioned, to be paid to her out of my estate in one year after my decease and no charge shall be made against my said daughter Susanna or her Children, for the support education or clothing of the said children prior to the date hereof.

Item. I give and bequeath to my daughter Mary the sum of Four hundred and fifty dollars over and above her share of the two thousand dollars above mentioned to be paid to her out of my estate in one year after my decease.

Item. I hereby release the interest now due upon and

obligation I hold of my son in law Amassa Baker so that the principal sum only with interest from the date hereof shall be accounted and taken as part of the bequests herein made to my daughter Sarah wife of the said Amassa Baker.

Item. I give and bequeath to my half Brother John Peterson the sum of seventy five dollars to be paid to him by my executors in such sums and such times as they or any two of them shall think most advantageous to my said half Brother.

Item. All the rest and residue of my estate be the same more or less and of whatever kind I give and bequeath the same to all my daughters namely Sarah, Elizabeth, Ann, Susan and Mary to be equally divided among them share and share alike. Provided that the share and legacy to Sarah shall be paid only to herself or to her written order authenticated before some Notary Public, Judge of a Court of Record or Mayor of a City with Seal affixed, and in case of her decease before the same be paid, then to be paid to her children.

Item. Every bequest herein made is on the express condition that no charge shall be brought against my estate for services heretofore rendered and in case of any such charge or charges the bequest herein contained shall be void as to the legatee or legatees making such charges.

Lastly I hereby nominate constitute and appoint my two sons John Heyburn and George Heyburn and my friend Benjamin Ferris of Wilmington whole and sole executors of this my last will and Testament. Hereby revoking all former Wills by me at any time made.

In Witness Whereof I have hereunto set my hand and Seal this Seventh day of April in the year of our lord one thousand eight hundred and thirty three.

George Heyburn (Seal)

Signed Sealed Published and declared by George  
Heyburn as his last Will and Testament in the presence of  
us who at his request, in his presence and in presence of  
each other have hereunto set our names as witnesses.

Lea Pusey

Jacob File

NEW CASTLE COUNTY, SS.

Personally appeared Lea Pusey and Jacob File the subscribing witnesses to the foregoing Will and Testament, the said Lea Pusey having been duly affirmed, and the said Jacob File solemnly sworn on the Holy Evangels of Almighty God did say that they saw George Heyburn the Testator sign and seal the said Instrument of writing and heard him publish, pronounce and declare the same to be his last Will and Testament and that at the time of his so doing he was, to the best of their belief, of a sound and disposing mind and memory, that it was at the request of the Testator in his presence and in the presence of each other they severally subscribed their names as witnesses thereto.

In Testimony Whereof I have hereunto set my hand at New Castle, April 27, A. D. 1833.

Evan H. Thomas,

Register

Be it Remembered that on the 27th day of April  
A. D. 1833 the last Will and Testament of George Heyburn  
was in due form of law proved, approved and insinuated and  
Letters Testamentary were granted unto John Heyburn and  
George Heyburn (Benjamin Ferris another executor named hav-  
ing renounced) they being duly qualified well and truly to  
execute the same.

An Inventory to be exhibited into the Register's  
Office at New Castle on or before the 27th day of October  
1833 and an account on or before the 27th day of April 1834  
or when thereunto lawfully required.

Given under the Seal of the Register's Office  
the 27th day of April 1833.

Bond in \$6000. William Woodward, Surety.

STATE OF DELAWARE

NEW CASTLE COUNTY, DESSA

I, Francis M. Walker, Register for the Probate of Wills and granting Letters of Administration, etc., for New Castle County, in the State of Delaware, do hereby certify that the foregoing is a true copy of the Last Will and Testament Etc., of  
GEORGE HEYBURN,  
late of Christiansa Hundred, deceased, as the same remains on file and of record in this office.

In Testimony Whereof, I have hereunto set my hand and official seal at Wilmington, this Twenty-ninth day of December in the year of our Lord one thousand nine hundred and eight.

Francis M. Walker,  
Register of Wills

(SEAL)

*Yorlgraves*



MRS. WILLIAM HEYBURN  
DARTMOUTH APARTMENTS  
LOUISVILLE, KY.

LOUISVILLE  
DEC 14  
11:30 PM  
1942



Mr. & Mrs. B. G. Marshall.

Wasson Road.

Indian Hills.

Jefferson Co.

Ky.

