

“But my son, should he feel himself competent and so disposed, may, by his last will, made according to law, give all or any portion of the property he may, so as aforesaid take under this my last will, unto my daughter, his sister, or to any one or more of her children or descendants, in such manner and upon such terms as he may think proper, and if my son should make no such last will, then all the land and property heretofore given to him as aforesaid, to descend and pass as a part of the residue of my estate as hereinafter directed.”

“My intention by the foregoing restrictive provisions on my son, being as effectually as the law will allow, to assure to him an ample independent support during his natural life, so that it may not be lost by any imprudence of his own, or by any misconduct of others, and at the same time to leave him something to bestow upon the nearest, most natural and best objects of his affections, by whom, I trust, he may be always treated most respectfully and kindly.”

He then bequeaths certain books to his son-in-law, Captain Isaac Mayo, and expresses a wish that “the copy of his reports of cases in chancery in his use at the time of his death, and in which I have made many additional references in pencil,” should be presented and given to one of his grand-children by their parents. All the rest of his books, with his household furniture, to be preserved by his wife for her own use during her life, or to be sold, or to be given to his children or grand-children in such manner and proportions as she may think proper. “All my manuscripts concerning law or any other subject to be burnt as being of no value, and utterly unfit for publication.”

He then makes disposition of certain real estate in Virginia, directing it to be sold, and the proceeds applied in payment of his debts in exoneration of his real and personal estate in this state; the residue to be invested and held by his wife during her life, and “to be bound as aforesaid for the payment of the said annuity to my son, and then to go with and as a part of the residue of my estate, as hereinafter directed.”

He then gives and devises “all the rest and residue of his property, real and personal, of every description, not herein otherwise or fully disposed of after the death of my wife, unto