

1837

I Francis S. Key do hereby make this
my Last Will & Testament —

I devise to my Executor hereinafter named
my lands in Maryland & the personal prop-
erty thereon in trust to hold the same for
the use of my dear wife during her life —
also such part of my furniture & property
in Washington as she may chuse to re-
move to the said lands in Maryland —
on her death to sell the same at public
or private sale, unless some one of my
children should ~~not~~ chuse to take the
same at a valuation to be put thereon by
persons my said Executor may appoint.

The proceeds of such sale or valuation
(such credit as my Executor may allow for
the payment being given) to be first applied
to ^{the} education & maintenance, of such of my
children, & the children of my dear son
John Ross Key as may be then uneducated
— either the principal or the interest to be
so applied as my Executor may find neces-
sary — & to be applied equally to such
children and Grandchildren — & the bal-
ance, if any, to be equally divided among
them. (My other children will attrib-
ute this disposition not to my want of
equal affection for them, but to the greater
necessities, in case of my death, of those

thus provided for.

And I also authorize my said Executor, to sell whenever he may think it desirable the one half or such portion as he may think fit of my land in Maryland & reserve the other half or portion for the use of my wife, & to be sold & applied as aforesaid at her death - And in case he should make such sale, then to apply the proceeds to pay any debts I may owe, which the debts due to me may not be able to extinguish - & to invest the balance & allow my wife the interest thereof during her life, & at her death to apply the same as above directed as to the proceeds of the Land sold then directed to be sold. -

The residue of my personal property, except my law library, to be sold, and the proceeds ^{with the debts due to me -} ~~applied as before directed~~ invested, and the interest thereof to be applied to the use of my wife during her life & the widow of my son John during her widowhood equally - and I desire that my said daughter in law shall have her home during her widowhood with my wife on the said lands unless they should prefer a different

arrangement, in which case my wife will, I know, allow whatever she can spare for her comfortable maintenance elsewhere.

the principal of the sum so invested, on the death of my wife to be applied, as before directed, as to the proceeds of the land, except that I desire ~~after~~ in the application among my children & Grandchildren aforesaid, that my daughter Alice shall first receive two thousand two hundred & twenty two dollars before Ellen receives any thing - so as to make for her a provision (as far as the funds may enable it to be made) equal to that which Ellen now has. My law library I bequeath to my Son Philip Barton Key - hoping he will make such use of it as will enable him to assist his younger brother & sisters & the children of his brother John.

To my son Frank I leave my watch - To Charles my seal - To each of my children the choice of six volumes out of my library - To each of my Grandchildren, one - My slaves to serve my wife during her life, & then to be free, unless (which I wish she would do) she should chuse sooner to manumit them. -

If my wife should prefer not to live

on my land in Maryland (though I think it would be the most comfortable & desirable residence for her & her family) then I authorize my Executor to sell the said land & the personal property thereon, & invest the proceeds so as to pay her the interest during her life & apply the principal as before directed after her death - And in case he sells the said land either at her death or any other period he is to convey the same to the Purchaser thereof.

And I hereby appoint my son in law Charles Howard Executor of this my will, revoking all wills heretofore made - Given under my hand & seal this 9th day of December A.D. 1837. -

F. S. Key Seal.

Signed, Sealed, published & declared by the above named Testator as & for his last Will and Testament in presence of us, who at his request & in his presence & in the presence of each other have subscribed our names as Witnesses hereto -
(Several interlineations in my hand writing F.S.K.)

E. J. Middleton
Henry Naylor
John A. Smith

District of Columbia } Orphan's Court,
Washington County, to wit. } January 27th 1843.

This day appeared, Erasmus J. Middleton & Henry Naylor, two of the subscribing Witnesses to the foregoing last will & testament of Francis S. Key late of Washington County aforesaid, deceased, and severally made oath on the Holy Evangelists of Almighty God, that they did see the Testator therein named sign & seal this Will; that he published pronounced & declared the same to be his last will & testament, that at the time of so doing he was to the best of their apprehensions of sound & disposing mind, memory & understanding. And that they together with John A. Smith, the other subscribing Witnesses, ^{respectively subscribed their names as witnesses} to this Will, in the presence & at the request of the Testator, and in the presence of each other.

At the same time, appeared, Charles
Howard the Executor named, and
made oath on the Holy Evangel
of Almighty God, that the afore-
going instrument of writing is
the true, whole & last will & testa-
ment of Francis S. Key dec^d. that
hath come to his possession or knowl-
edge and that he doth not know
of any other.

Test: Ed. N. Roach.
Pg Wills.

(Mexican claims)

Treasury Department
Registers Office
Nov. 2^d 1841.

Sir.

You will receive herewith, the following enumerated certificates, amounting to \$21,742.74 being the balance of the sum payable to you of the award in favor of D. M. Perrine & W. Glenn, Trustees.

N ^o 485 to 516 for \$500 each	32	16,000
517 to 572 " 100 "	56	5,600
& N ^o 573. - "		142.74
		<u>21,742.74.</u>

Be pleased to advise me of their receipt.

I am respectfully
Your Ob. Serv^t.
T. Smith

F. S. Key Esq^r.

above	21,742.74	
in addition	15,000. -	
in hands of fittings	5,000. -	
in hands of Chas Howard or B. B. Boney	15,000. -	
given	56,742.74	to be given
	1,100. -	given
	<u>55,642.74</u>	to be given
	4,574.27	
	<u>\$51,068.47.</u>	

Of these certificates I hereby direct, in case of my death, that \$4,574.27 be given to my son in law Chas. Howard, in trust, to give to the Maryland State Colⁿ Society 1000th thereof -

& 1000[¢] each thereof each to the use of domestic missions of the Protestant Episcl. Church - 1000[¢] thereof to the foreign missions of said Church. (1000[¢]) 1000[¢] thereof to the American Bible Society & the balance of said H. 5th H. 2nd - or rather (to avoid dividing the certificates) 600[¢] to the widow of my late cousin John Gosh. -

Of the remainder of said certificates I wish him to hold 10,000[¢] in trust for Virginia Key & her little boys Clarence & John R. Key, - & to sell them, and invest the proceeds for them if he thinks best, or it should be necessary. - In case of her marriage, whatever may be left of them to be reserved for the boys & in case of the death of either, the whole to the other. - Of the rest, to hold 5000[¢] for Alice Key my daughter - 5000[¢] for my daughter Ellen, in payment of her legacy from D. Bruce, which is in my hands for her, & for which I am accountable to her, which amounts to \$2222.50, but if she prefers having that sum which I owe her in money, then to sell certificates to raise that sum - and 5000[¢] to my son Charles - to be sold if necessary & principal & interest applied to his education, if necessary, - and the balance to my wife

F. S. Key

Washington 5. Jan'y, 1842.

District of Columbia } Orphans Court
Washington County, to-wit } February 24th 1843

This day appeared, William Trent,
& John W. Maury and severally made
oath on the Holy Evangelists of Almighty
God, that they are well acquainted with
the handwriting of F. S. Key, late of
Washington County, aforesaid, deceased
having often seen him write and that
they verily believe the writing within
(purporting to be a codicil, to his last
will & testament of Francis S. Key) to
be the proper handwriting of said Fran-
cis S. Key deceased, as well also, as the
signature to the same, to be the hand-
writing of said Francis S. Key, deceased.

Test: Ed: N. Roach, Reg: Clk.

District of Columbia } Orphans Court
Washington County, to wit } February 24th 1843

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they verily believe the writing within
(purporting to be a codicil, to his last
will & testament of Francis S. Key) to
be the proper handwriting of said Fran-
cis S. Key deceased, as well also as the
signature to the same, to be the hand-
writing of said Francis S. Key, deceased.

Supreme Court of the District of Columbia,

OFFICE OF THE REGISTER OF WILLS.

District of Columbia, to wit:

I hereby Certify That the foregoing is a true copy from the original

Last Will and Testament and Codicil of
Francis S. Key deceased, with probates thereto,

filed and recorded in the Office of the Register of Wills for the District of Columbia.

Witness my hand and the seal of the Supreme Court of the District
of Columbia, special term for Orphans' Court business, this
10th day of April A. D. 1883.



H. J. Rawdell
Register of Wills, D. C.

