June Term 1861

Memorandum Before the Jurors aforesaid returned from the Bar of the Court for the said John Dee Lessee as aforesaid by his Attorneys aforesaid Leave in Court was the following Bond Executed by Wife

Ann Jugnes Lessee }
vs. } At the June of this action &c Ejectment &c
Jesse W Nutter } Instance the issues as therein joined came to be tried by a Jury of this County to wit Benjamin Harrison Late of Anne Arundel County deceased was in his life time and possessed of the land and premises in the declaration in this cause described and for recovery thereof an Ejectment is brought and being so thereof seized and possessed on the 1st day of September in the year 1825 duly made and published his last Will and testament that is to say in writing the same being admitted to have been duly signed and attested to pass Real Estate and of legacies &c and did thereby bequeath his said Real Estate and personal Estate in said last Will and testament mentioned in such manner and form as therein is mentioned and directed that after the death of the said Benjamin Harrison the same was duly admitted by probate before the Orphans Court of Anne Arundel County and recorded as directed by Law of which said last Will and testament with the probate thereof as follows.

The last Will and testament of Benjamin Harrison of Anne Arundel County.

In the name of God amen I Benjamin Harrison of Anne Arundel County and State of Maryland being of sound and disposing mind memory and understanding do make and publish this my last Will and testament in manner and form following. First I give devise and bequeath to my son John Harrison his heirs executors and administrators all the following Real and personal Estate to wit one hundred and sixty seven acres of land to be laid off from the South end of my Dwelling plantation so as to include the dwelling House with the other Buildings thereon and to include also at least one of the tobacco Houses, and also the following personal property to wit one negro man called Dick Fisk, one negro man named Isaac and negro woman named Julia, one negro boy named Paris, one negro girl named Lucy the Daughter of Polly with their increase and their issue Horses, one old Coach, two yoke of Oxen and four Head Cows. Ten head of Sheep and twenty head of hogs the one half of my household furniture and the one half of my farming utensils. I also devise to the following uses and purposes to wit. I do devise unto my son the use of my daughter Eleanor Stephenson wife of John Stephenson during the natural life of the said John Stephenson under the express proviso nevertheless that the said John Harrison shall not be compelled to pay into the hands of the said John Stephenson any part of the property in this legacy and devise mentioned or any part of the rents issues and profits thereof but that the same shall remain and continue in the hands and possession of my said daughter for and during the life of her said Husband subject nevertheless to the said trust for her as only as to permit and suffer the said John and the profits thereof to my said Daughter when sole and separate use and I do direct and declare that any receipts or writings Witnessing the payment or receipt of such profits executed by my said daughter



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and signed by her shall be a sufficient discharge to the said Trustee and in case my said Daughter should die before her said husband and without leaving issue then I give devise and bequeath all the said Real and personal Estate to my said son John Harrison his Heirs and assigns forever, But in case my said Daughter should die before and survive her said husband leaving issue then I give and devise all the said Property to such issue and their Heirs as tenants in Common But in case my said Daughter should die without leaving issue then I give devise and bequeath all the said Real Estate to my son John his heirs and assigns forever.

Item I also direct that my Will and intention is that in case my said daughter should survive her said husband that then the trust herein before created shall cease and determine, and the legal estate in the said property shall not rest in my said Daughter but and during her natural life as aforesaid the Real Estate and absolutely in fee simple the personal property and after her death in case she leave issue that then such issue shall have a legal Estate in fee in the said Real Property and in default of such issue then to rest in my said son John and his Heirs forever.

Item I give and devise to my daughter Ann Jugnes all the rest and residue of my Real Estate whatsoever to her and her Heirs forever.

Item I give and bequeath to my said daughter Ann Jugnes her Executors administrators and assigns the one half of my Household furniture and Plantation utensils and the following negroes to wit one negro woman named Fanny Darby. One negro man called Harry and old Tim.

Item I give and bequeath to my son John Harrison his Executors administrators and assigns all the rest and residue of my negroes not herein before devised by this my last Will and testament and also all my tobacco and wheat which may be on hand, and also all the money that I may have at the time of my death and all the rest of my Stock of Cattle Sheep hogs and Horses not herein before devised, and I do hereby charge and direct my said son John Harrison shall pay all the just debts which I may owe at the time of my death, and lastly I do hereby nominate constitute and appoint my said son John Harrison Sole Executor of this my last Will and testament hereby revoking and annulling all former Wills Testaments and Codicils by me heretofore made and published and declaring this and none other to be my last Will and testament. In testimony whereof I have hereunto set my hand and affixed my seal this 1st day of September in the year of our Lord 1825.

Signed Sealed and declared } Benjamin Harrison (Seal)
by Benjamin Harrison }

The above named Testator as and for his last Will and testament in the presence of us who at his request and in his presence and in the presence of each other have subscribed our names as Witnesses thereto

The Franklin, Adam Thos Allen, John B Moran.