

## Document 41

### 5 January 1851: Last Will and Testament Ann Hite

*Much shorter than the other wills contained in this volume (see #16 and #39), this document disposed of Ann T. Hite's personal estate. Of particular note are the references to Isaac Hite, Sr.'s looking glass and to a painting of Belle Grove. Also of interest is the fact that Isaac was buried in an unmarked grave between 1836 and 1851 and the fact that Ann permitted her house slave John to choose a new master.*

I, Ann T. Hite being of sound mind and disposing memory do make my last will and testament as follows:

1<sup>st</sup> I direct all my just debts to be paid out of my estate and a tombstone to be procured and placed over the graves of my deceased husband one over that of my Mother and one of that of my Daughter Betsy

2<sup>nd</sup> I give to my son Isaac F. Hite the large looking glass in the yellow room which belonged to his grandfather Hite and my silver tea pot

3<sup>rd</sup> I give to my son Hugh H. Hite one dozen table spoons and one silver ladle

4<sup>th</sup> I give to my son Walker M. Hite my silver casters toddy ladle and decanter stand

5<sup>th</sup> I give to my Grandson Cornelius B. Hite the looking glass in the parlor the books which belonged to his father and which were purchased by me and the gold watch which belonged to his father also purchased by me

6<sup>th</sup> I give to my daughter Matilda the painting of Belle Grove

7<sup>th</sup> I give to Ann M. Hay a bedstead and cover

8<sup>th</sup> I give and bequeath to I.F. Hite, Walker Maury Hite, Hugh H. Hite, Rebecca G. Loder, Mary S. Davison, Sarah C.M. Bird, Matilda M. Davison, and Ann H. Fauntleroy formerly Williams all the rest and residue of my estate of every kind and all property of every description which by the will of my deceased husband I am authorized to dispose of to be equally divided. Such property as they can mutually agree upon may be taken by my said legatees at valuation but the portion hereby bequeathed to my daughter Rebecca G. Loder I leave to J.S. Davison, I. F. Hite, and Philip Williams in trust for her the sole and separate use not liable to the control or debts of her husband.

The specific legatees hereinafter bequeathed to my sons Isaac F. Hite, Walker M. Hite, and Hugh Hite are to be charged to them at valuation and all deducted from their shares of the residue of my estate.

9<sup>th</sup> I request that my Negro man John may have the privilege of choosing a master

10<sup>th</sup> I constitute and appoint John S. Davison and Philip Williams executors of this my last will and testament

In testimony whereof I have hereunto set my hand and seal this 5<sup>th</sup> day of January 1851.

Signed sealed and published by the testatrix as her last will and testament in our presence who at her request and in her presence and in the presence of each other have subscribed our names as witnesses

Ann T. Hite

Elizabeth Lee

William Irish

At a Court held for Frederick County the 3<sup>rd</sup> day of February 1851 this Last Will and Testament of Ann T. Hite deceased was proved by the oaths of Elizabeth Lee and William N. Irish witnesses thereto and ordered to be recorded and on the motion of J.S. Davison and Philip Williams the Executors therein named who made oath according to Law Certificate is granted for them for obtaining a probate thereof in due form whereupon they together with David W. Barton, Isaac F. Hite, and Walker M. Hite their securities entered into and acknowledged bond in the penalty of 16,000 dollars. Conditioned for their due and faithful administration of the said decedents Estate.

By the Court:

T.A. Tidball, Clerk of Courts