

James Carter of the County of Frederick in the State of Virginia
knowing the certainty of death and that with me how my present infirmity of
body that soon cannot be distant, I do therefore think it proper to set my mind
relatives its usual strength to make a short Will, and I do hereby declare my
Will to be as follows: 1st that my Executors hereafter named so soon after
my decease as circumstances will admit and justify sell at public Auction on
such credit as they may deem proper the whole of my personal perishable
property, and also my tract of land in the County of Fairfax in the State of
Virginia, containing two hundred acres, and my house and lot situate on Empress street
in the Town of Alexandria in the District of Columbia and from
the proceeds of these sales pay off and satisfy all my just debts and a plain decent burial
funeral: 2nd that my Wife Sally take and hold during her natural life the
same share and proportion of my estate real and personal that she would either
in law or equity be entitled to if this my brother Will by me had never been
made, with this exception that she claims no interest in my tract of land in the
County of Fairfax nor in the lot in the Town of Alexandria herein directed to
be sold, for the payment of my debts, and for the support of myself and my wife,
the other parts of my estate my carriage and horses and the two carriage horses
and a brood mare of her choice. 3rd My intention was has been and now
is to make among my children males and females an equal distribution of my
estate of every description if not in kind at least in value, and with this view
the advances made by me to those of my children who have been married and left
the family, have been charged - these charges will be paid a standing against
them in dividends by name, in my account books, and in my own hand writing amounting
as follows: To my Son John B Carter \$1484 To my Son Archibald Carter \$2130.
To William Hamilton who intermarried with my daughter Marianne \$885.
To John C. Ginnale who intermarried with my daughter Matilda
\$506. To James Carter who intermarried with my daughter
Lucinda \$450. These accounts as they thus stand charges a
must be considered and taken as parts of my estate, in the
division to be made thereof under this Will. To arrive at a fair division
of my estate by this Will my land in the County of Frederick whereon at this time
reside must be sold as my slaves be valued at a fair market price, that valuation
to be made by three or more persons to be appointed by the County Court of
Frederick, or selected and agreed on by my Wife Sally and those of my children
that may be present and of lawful age, to this valuation must be added the amount
of the said different accounts for advances made, and also any balance that may
remain of the proceeds of the sales herein directed to be made after the payment of
the debts, and this aggregate to be divided by eight the number of my children now
living or by the number that may be living when this Will may go into effect, and
the dividend thus obtained shall be considered and taken to be an equal
share in my estate, and which share a dividend thus mentioned each of my
children to wit, John Archibald Marianne Matilda Lucinda Nancy Elias &
and Sally have or the survivors of them in case of death, shall under this Will
claim be entitled to and lawfully hold. To make my wishes plain I will for exam-
ple take the account standing in my said account books against my Son John,
this account will be paid as before stated to amount to \$1484 for advances to him,
now all my other children must receive up to this amount so far as my Son
John can claim further and should my estate after the payment of my debts
not be sufficient real and personal to give to each of my children this

sum to wit: \$1484. If my Son John must in that case refund a part of
what the shares be made equal, the same rule must be observed by
and how and my Son Archibald, the advances to him being \$2130.
If my Sons John and Archibald must agree to and will willingly agree
to if they mean to be just, and not abuse the confidence that I have
reposed in them, as they both know or have good reason for believing
that it never was my intention to give less to them nor more to them
than to my other children, my children to me are all equally near
and all equally dear, and Justice and my conscience say they have
equal claims upon my estate, and equal claims therein; thereby acknow-
ledge, grant and lawfully confirm to them, and it would be pleasing to me
indeed if could at this son parting have given to each their exact share
in kind, but this supposition cannot be done, owing to the peculiar situ-
ation of my tract of land as to wood and water, a division of it
into as many parts as would give to each of my children an equal share
therein cannot well be done, so as to make each share equally con-
venient and profitable - I therefore suggest and advise as the most
advantageous for the whole of my children, that my Sons John and
Elias take the whole of the land and make they account to and pay to my
other children the amount of their shares thereon agreeably to the val-
uation prices, but this I cannot enjoin, not wish to impose upon my sons,
John and Elias unless they approve it, but if they do then it is my Will
that it be so, and if so then it is further my Will that the same be di-
vided between them my said Sons John and Elias by a line beginning
at a White Oak a corner lies in the line of Mrs. Bailey Emery's land, and
also a corner lying back of land I have mentioned and running from said
White Oak a straight line to the extreme West corner of the tract of
land belonging to the heirs of Mr. Archibald Brownrigg dead, and from thence
the same course continued to the line of Wiley Shumates land, be the
intersection where it may, the West division by a line thus drawn I give
to my Son John and the East division by a line thus drawn to be held
by my Son Elias but in the lands and a conditions herein before stated
to wit, that they John and Elias pay (tho' in full satisfaction) of any other
children in dividends, the amount of their shares thereon to be ascertained
as herein before stated and to secure and insure the payments of the
other individual shares therein the whole of the said land must be held
subject, but these shares thus binding upon the land must as to the mode
and time of payment be under certain restrictions and limitations
to wit - 1. The share or interest therein of my daughter Marianne now
Marianne Hamilton must be kept by my Executors and by them held
in Trust for her my said daughter Marianne to be paid to her at
such times and in such portions as my Executors may (tho' as aforesaid)
think proper with the lawful interest thereon from the time the said share
or interest therein shall be ascertained, and in case of her death then
to her children - 2nd The share or interest therein of my daughter

daughter Matilda now Matilda Demetria must be added hope
by my Executors to be held by them In Trust for her my said
daughter Matilda to be paid to her at such time and in such
portions as my Executors may (tho' reasonably) think proper, with the
lawful interest thereon, from the time the said shares or interest
may be ascertained, and in case of her death to her children
5th the share or interest therein of my daughter Lucretia Carter to
be paid to her or her heirs or assigns in one year from the time the
said share or interest may be ascertained with the lawful interest.
6th the share or interest of my daughter Nancy Ann to be paid to her
or her heirs or assigns in two years from the time said share or interest
shall be ascertained with the lawful interest -
7th the share or interest of my daughter Sally Ann therein to be paid
to her when she arrives to the age of twenty one years or at her mar-
riage if that event should happen sooner, with the lawful interest.
This clause the arrangement I wish made as respects my land estate,
but in making this arrangement the land desc'd. to my son Elias
will be involved with the interest of his mother this as far as I can
see cannot well be avoided, and I do hope that with this it will
not be material as it will only be throwing together the interest of
Mother and son who have ever been devoted to each other and I hope
will, and I am sure that their interests will thrive and grow better
if kept together, and as my Wife Sally has ever wished a strong de-
sire to have the interest and the care of her children and of her
man not left so towards his son Elias that their interests being thrown
together will not be met by an objection from either of them, but if it
should I must leave them and my other children to reconcile the
difficulty, as I know not how to remove it without pursuing a greater.
In the division of my slaves I apprehend no difficulty, my wish as re-
pects them is that all my children having arrived or those of them that
may be living when this will is carried into effect, claim and hold an
equal share in them to be divided in kind if it can be done
as well those (when time shall make it proper) that will be held
by my Wife Sally as those upon which she will have no claim, provided
that the interests of all my children in the whole of my estate
be made equal thereby, taking into the estimate the advances made
as charged in my said account books, and I then repeat that
those advances must be accounted for in the manner herein before
pointed out by those for whose benefit they were made, before
they can have any further claims whatever upon my estate under
this will. The shares in my slaves falling to my daughters
Marion now Marion Hamilton, and Matilda now Matilda

Demetria in the division to be made of them must also for rea-
sons not necessary to be explained here, be held by my Executors
in Trust for them my said daughters Marion and Matilda
upon the same principles and for the same uses and purposes as
their interest in my land are herein before directed to be
held, with this only difference, that the slaves are to be hired
out and the hire paid over to the slaves deliver'd over, my Execu-
tors may think most conducive to the comfort and welfare of my
said daughters and my children: the shares or interests of my
daughters in my land estate tho' placed under certain restrictions as to
time and mode of payment are not thereby to lose in their nature
as interest in any case must be charged and allowed until full
payment be made, and a quietness granted and the same as
regards the fair value of the slaves falling to my daughters Ma-
rian and Matilda, upon the same principles and for the same
restrictions are placed upon the slaves falling to any other
children, what effect the life interest of my Wife Sally may
have in ascertaining the true amount of the interest or
shares of my children in my said Estate I know not, therefore
leave it without further remarks, my children must be satisfied
to meet it as they may find it - one thing I had forgotten and
which I must mention now is this, that as I had never
intended to give to one of my children more of my estate than to
another, yet I feel moved at the time to depart from this determi-
nation in one instance in a small matter - I do therefore give with
and above to my daughter Sally Ann my youngest child
over and above an equal share in my estate, a small negro
girl named Nancy to her and her heirs forever, and I must
add that to my daughter Nancy over and above an equal share
in my Estate I give well and bequeath my riding horse - I do
now hereby annul and revoke and do appoint my sons John B Carter
and Elias Carter executors of this my only last will &
Testament - In Witness whereof I do hereunto set my
hand and affix my seal this 23rd day of August 1826
The foregoing will signed sealed and
published by the testator as his last
will and Testament in presence of
W. Cook
Jno. Brewster
Esq^r Carter

I Elias Carter being still of sound mind and upon re-
flection have thought proper to add this writing as a bequest to my last
will, and inasmuch as it alters the provisions of said will in some
respects I hereby declare it to my intention to alter said will so far

as it is done by this writing, and that this writing a will shall be attached to and form part of my said Will and have its full force when it may conflict with the other parts of said will. I do appoint my son John B. Carle the only Executor to my Will and hereby direct that all my property or estate be kept together for the full term of two years after my decease, as the best way of paying my debts, under the direction of my said Executor, but if he shall think it best he may sell my part of my estate which is directed in my said will to be sold, as soon after my decease as he chooses. And at the expiration of the two years I direct that all my negroes except the lower negroes be equally divided among my children or their heirs and delivered to them or held in trust by my said Executor agreeable to the provision of my said will. The lower negroes are to be divided in like manner after the death of my Wife. 3rd I wish my son Elias and my daughter Nancy and Sally Ann each to have a feather bed and furniture equal in the opinion of my Wife to that given to my other children and to be charged the same price for them. I also give to my daughter Nancy my Negro girl Hannah. 4th I give to my wife on the same terms she is to hold the property given to her before, and on the same terms in addition thereto three feather beds and furniture, the Mahogany Bureau and Clock and my Watch. 5th instead of the valuation proposed in my will I hereby fix the value of my land at twenty dollars per acre it being the price charged to my sons John and Richard for their land. 6th I direct that my son Elias may hold the two fields he now has in possession without payment, until a division of my land is given to my daughter Matilda and Doreen my Negro Girl Evelina. Lastly I again declare this writing to be part of my will and desire that it may be attached thereto, as Witness my hand this 16th day of October 1826.

Signed and acknowledged
In presence of
Seth Mason, John Brownley
Wm Brownley, Jas. T. Johnson

At a Court continued and held for Frederick County the 7th day of November 1826. The last Will and Testament of Isaac Carle deceased was proved by the oath of John Brownley a Witness thereto, and the Codicil thereto was proved by the oaths of Seth Mason and the said John Brownley Witnesses thereto; and at a Court continued and held for the County aforesaid the 10th day of November in the year aforesaid

the said Will was further proved by the oath of William Cooke another witness thereto and the said Will and Codicil ordered to be recorded. And on the motion of John B. Carle the Executor therein named who made oath according to law, certificate is granted him for obtaining a probate thereof in due form on his giving security. Whereupon he together with Joseph July and John Brownley his securities entered into and acknowledged bond in the penalty of ten thousand dollars, conditioned for his due and faithful administration of the said decedent's estate.

By the Court J. A. Tidball C. J. & C.

Virginia Frederick County. I Thomas Allen Tidball Clerk of the Court of the County of Frederick do hereby certify that the foregoing is a true Copy from the records of my office. In Testimony whereof I have hereunto set my hand and affixed the seal of the County aforesaid this 22^d day of November 1826, and in the 81st year of the Commonwealth.

J. A. Tidball

This will is recorded Nov: 28: 1827 At the request of the Executor
J. A. Moore Reg: 1826

Known all Men by these Presents that we John Dunlap and John A. Stewart are held and jointly bound unto Christopher Neale Esquire Judge of the Ophio Court of Alexandria County in the District of Columbia and his Successors in Office in the sum of two thousand dollars lawful Money of the United States, to the payment whereof well and truly to be made we bind ourselves our heirs Executors and Administrators jointly and severally jointly by these Presents sealed with our seals and dated this sixth day of August 1827. The Condition of the above obligation is such, that if the above bound John Dunlap shall well and truly perform the office of Administrator of William Dunlap Esq. of Alexandria County deceased, according to law and shall in all respects discharge the duty of him required by law as Administrator aforesaid, without any injury or damage to any person interested in the faithful performance of said office, then the above obligation to be void else to remain in full force and entire in law.

Sealed and delivered
In presence of
The Court.

John Dunlap
John A. Stewart

Known all Men by these Presents that we John West and John Lawson are held and jointly bound unto Christopher Neale Esq. Judge of the Ophio Court of Alexandria County in the District of Columbia and his Successors in Office in the sum of one thousand dollars lawful money of the United States, to the payment whereof well and truly to be made we bind ourselves our heirs Executors and Administrators jointly and severally jointly by these Presents sealed and dated this 6th day of August 1827.