

In the presence of witnesses I Charles M. Banton of the County of Buckingham and State of Virginia, being in feeble health but of sound mind make this my last Will and Testament as follows

Clause 1. I give and bequeath to my wife Paulina A. Banton after paying all my just debts, all of my landed estate also all stock cattle and farming utensils &c on the place I now reside, so long as she may live my main object is to make my widow comfortable; after my death I desire my property disposed of as follows provided my children are kind watchful and affectionate to their mother should any of my children be disrespectful or unkind I leave it with her to say whether they shall have what I hereafter desire to give them, in other words she may cut them off, without giving them any thing

Clause 11. I desire at the death of my wife should all my children act and do as desired in clause 1 to be equally divided between my children

Clause 111. I desire my son W. J. Banton to have that portion of the farm on which he now lives, should it be deemed more valuable than some other part by the Court he is to pay so as to make up all equal

Clause IV. I desire my son Robert F. Banton to have that portion of the farm on which he now lives, with some provisions as in clause 111 as his pay and so as to make it equal

Clause V. I desire my daughter Julia A. Banton to have that portion of the farm on which her husband has built on and in the same manner as in clause 111 & 1111 that is to make it equal

Clause VI. I desire my homestead on the balance of my landed estate to be divided between my other four children namely Mr. C. Banton Mary A. Banton Martha C. Banton and George W. Banton the Commissioners must understand I desire an equal division to each of my children and in dividing if necessary they can divide or appraise and let one pay to the others so as to make all equal

Clause I. I give and bequeath to my wife Paulina A. Banton after paying all my just debts, all of my landed estate also all stock cattle and farming utensils &c on the place I now reside, so long as she may live my main object is to make my widow comfortable, after my death I desire my property disposed off as follows provided my children are kind watchful and affectionate to their mother should any of my children be disrespectful or unkind I leave it with her to say whether they shall have what I hereafter desire to give them, in other words she may cut them off, without giving them any thing.

Clause II. I desire at the death of my wife should all my children act and do as desired in clause I. to be equally divided between my children.

Clause III. I desire my son W. J. Banton to have that portion of the farm on which he now lives, should it be desired more valuable than some other part by the Court he is to pay so as to make up all equal.

Clause IV. I desire my son Robert T. Banton to have that portion of the farm on which he now lives, with some provisions as in clause III. as his paying so as to make it equal.

Clause V. I desire my daughter Julia A. Banton to have that portion of the farm on which her husband has built on, and in the same manner as in clauses III. & IV. that is to make it equal.

Clause VI. I desire my homestead or the balance of my landed estate to be divided between my other four children namely Mr. E. Banton Mary A. Banton Martha E. Banton and George W. Banton. The Commissioners must understand I desire an equal division to each of my children and in dividing if necessary they can divide or apportion and let one pay to the others so as to make all equal.

Clause VII. I desire all of my stock cattle and homestead

to be divided equally between my four children.

Clause VIII I desire of my wife and Executor to keep my household together and for the better to so work and sweat and have the place cultivated so as to support and make my wife comfortable, and should the business with crops &c &c thereon not be sufficient to support of my wife comfortable

children, namely W. J. Banton, R. J. Banton and Julia A. Banton shall pay a rent of one fourth the proceeds of the prices I have named Clause III, IV, V.

Clause IX I desire should improvements be made on any of the place I desire as designated to my three eldest children but them that the Commissioners shall take into consideration.

Clause X My friends Taliaferro & Co have promised that they will advance and aid my wife and Executor by advances from time to time in the cultivation of the place so as to make my wife comfortable and I desire they &c or for whatever advances they make first second and paid.

Clause XII I hereby appoint as my sole Executor my friend and neighbor Frank N. Maxey, with a request that he will do all in his power to keep things together and if I have failed to express it so as not to be understood I want it distinctly understood my desire is my whole estate to be managed so as to make my wife comfortable. I also desire my Executor shall act without being required to give security. Witness my hand and seal in the presence of witnesses this November 15th 1874.

Witness

J. M. Shepard witness
F. N. Maxey Jr

C. M. Banton (Signature)

At a County Court held for Buckingham County, January 11th 1875. This paper purporting to be the last Will and Testament of Charles M. Banton, dec'd with precedent annexed, was this day produced in Court, and the said Will was proved by the oath

J. M. Shepard & Son
J. M. Maxey Jr

At a County Court held for Buckingham County, January 11th 1875. The paper writing pur-
porting to be the last Will and Testament of Charles M. Banton, dec^d with a codicil an-
nexed, was this day produced in Court, and the said Will was proved by the oath
of John M. Shepard, one of the subscribing witnesses thereto: and until said Will
is fully proved, or until an Admin or Exor shall qualify on said estate, the Court
doth appoint Francis N. Maxey Curator of the estate of the decedent, and the
said Maxey gave bond with security as required by law. And at another day,
to wit. At a County Court continued and held for said County, February 9th 1875.
On the motion of F. N. Maxey Curator, it is ordered that a Commissioner be appointed
to take the deposition of F. N. Maxey, Jr., one of the subscribing witnesses to said Will re-
siding in the City of Baltimore. And at another day, to wit. At a County Court
held for said County, April 12th 1875. The said Will was returned into Court together
with the Commissioner thereto appointed for taking the attestation of F. N. Maxey, Jr.,
a witness thereto, and the certificate under the hand and seal of Charles A. Wagner,
Notary Public of the City of Baltimore of the execution of the said Commission, and
thereupon the said Commission being seen and inspected by the Court it is ordered
that said writing be recorded as the true last Will and Testament of the said
Charles M. Banton, dec^d and on the motion of F. N. Maxey, the executor named in
said Will who made oath thereto, and entered into and acknowledged a
bond in the penalty of \$1500 conditioned according to law without
security, the testator by his Will directing that none should be required
certificate is granted the said F. N. Maxey for obtaining a probate of the
said Will in due form.

John P. A. Parker, C. C.