

The words "be authorized to" erased
on 1st page, before signing

Witness

Thos E. Menshau }
Lucy A. Menshau }

In King & Queen County Court October 11th 1877.

This last will and testament of Jane F. Bates dec^d
was produced in Court and sworn by the oaths of
Thomas E. Menshau and Lucy A. Menshau the
subscribing witnesses thereto and ordered to be recor^d

Teste

Spotswood Bird R. C.

Truly recorded

Teste

B. F. Taylor



Teste, 1st

I B. F. Dew do herein make my last will & testament
follows

Item 1. I desire that my just debts shall be paid.
I direct that the following special legacies shall
made by my Executors as herein indicated.

Item 2^d I desire that James H. Dew shall have the prob^{erty}
of my brother the late Thomas R. Dew and the w^{ill}
belonging to me, & which I let him Maria have in m^y
lifetime.

Item 3 I desire that John G. Dew shall have all my land
and half my library including the bound "Farm
Registers" with such exception as I may hereinafter
I desire that he shall also have my desk, the w^{ill}
case of my deceased brother Thomas R. Dew, & the
of his mother, which he has been wearing.

Item 4 I desire that M. F. Dew shall have all the prop^{erty}
that her mother owned in her lifetime, except the

watch last referred to, the piano & the bureau & Bedstead in the chamber & the books that were her own mothers and those that were bought for her.

5 I desire that my son Franklin Dear shall have the half my library excepting what has been given I. G. Dear M. F. Dear & such books as were bought for I. Harvie Dear, which I desire he shall have.

Having sold the coat that was Franklin's, I desire that he shall have the advantage of one hundred dollars in the general division. I also give to him my watch chain & seal & the ward robe that stands in the chamber.

6 I desire that my nephew Henry Gusham shall have the cemetery sketch of my deceased brother Thomas R. Dear's tomb, taken in Paris.

7 I desire that my executors shall decide what reasonable amt. shall be allowed my son Franklin Dear out of the general estate, to give him a reasonable education.

8 I desire that my widow Bettie V. Dear shall have my carriage & carriage boxes & harness, that a bureau & bedstead not exceeding in price seventy five dollars shall be supplied her when the present Bureau & bedstead are taken away, unless before my death I should supply the same. But this seventy five dollars shall be deducted from the portion of my estate hereinafter specified for her.

9 After taking out such articles of my clothing for my son Franklin as his mother may think suitable or needful for him, I desire that all the balance of my clothing, or such portion as he would accept shall be given to R. M. Gannett.

10 After taking out the foregoing special legacies, with the exceptions made, & paying such just debts as may be due I desire that my wife Bettie V. Dear shall have for her use during her lifetime

one third of all the ballance of my estate both real & personal undisposed off at my death & the remain after her death to be equally divided among my four children James H. Dew, John G. Dew, Mary Dew & Franklin Dew or their respective heirs, unless my widow shall prefer committing the same for absolute or fee simple interest, in which event I direct my executors to do so. In assigning this I desire that my lot at Newtowne including the forty acres attached to it and thirty acres of woodland to be cut off from the duck pond & of the Lynesville tract of land nearest to Newtowne shall be embraced.

Item 11. After which I desire that the remainder of my estate both real & personal shall be equally divided among my four children James Dew, John G. Dew, Mary H. Dew, & Franklin Dew, or portion of either from the death of any one shall go to his or her heirs. But having given to my oldest children J. H. Dew, John G. Dew, & Mary Dew by my first marriage, the best education I could afford and to two of them professions at a time when money was scarce, & all found difficulty in supporting their families, the provision herein made for my three oldest children is intended by me to be in full consideration of any separate interest or property, either personal or real, claimed by them or either of them or one else in their right on any account whatever as due by me to them or either of them, except I may hereinafter specify; and also excepting two tracts of land, one known as the old mill in which W. J. Mygarnett holds one half interest & the remainder of what was known as the tract which remainder contains say one hundred & forty odd acres more or less. — in both

which pieces of land I only held at any time a like interest. And in the event that any such claim should be made, which I do not anticipate, then he or she shall not not receive any portion of my estate as provided in this will & his or her portion shall remain with the balance of my estate to be equally divided among the other children

12 I desire that my executors shall have full discretion consulting the welfare of my widow & Mary Franklin Dew especially as to the best time under all the circumstances when the division of my estate as contemplated by this will shall take place.

And they shall have the further discretion of selling any portion of my landed estate (except the lot & land to be assigned under the provisions of 10th item of this will) or make any sale or any exchanges of personal or real property that may be for the best interest of all, the money or property thus acquired following the disposition made of that sold or otherwise parted with by this will.

I desire that all reasonable expenses on acct. of my widow Bettie V. Dew, Franklin Dew, & Mary H. Dew shall be furnished out of the general estate including their board at home, without any charge to either up to the time of the general division.

13 I have made no appointment of Guardians for my two youngest children, believing that the free consultation among my executors & widow will lead to the best appointment when they shall be needed.

14 I hereby appoint my two sons J. Marrie Dew, John G. Dew, & my brother-in-law R. W. D. Quisenberry as my executors, with a compensation to them collectively of two hundred dollars for acting as such, with the request and desire that they shall not be required to give security.

Trusting that I have made every needful appointment, and that my executors will use their best judgment for the interest of all. I commit to Almighty God the welfare of my family: and hereunto affix my hand and seal this 19th of July 1877
B. F. Dew

In King & Queen County Court November 8th 1877

This writing purporting to be the last will and Testament of Benjamin F. Dew deceased was produced in Court by John G. Dew, J. Maria Dew, and W. D. Quisenberry the Executors therein named, and there being no subscribing witnesses thereto, William R. Gresham and John R. Bagby were sworn and severally deposed that they are well acquainted with the testator's handwriting and verily believe the said writing and the name subscribed to be wholly written by the testator's own hand. Whereupon the said writing is ordered to be recorded as the true last will and testament of said Benjamin F. Dew deceased. And on motion of John G. Dew, J. Maria Dew, and W. D. Quisenberry the executors therein named, (the said J. Maria acting in this behalf by B. J. Taylor his attorney at law) who made oath thereto, entered into and acknowledged a bond in the penalty of Twenty thousand dollars (\$25,000⁰⁰) conditioned as the Court directs, without security (the testator having provided in his said will that no security be required of his said Executors) a certificate is granted them for obtaining a probate of the said will in due form.

Teste

Spottswood Bird D.C.

Truly recorded

Teste,

B. J. Taylor

