

I William Newton of the County of Pittsylvania Virginia being of Sound mind and disposing memory, do make and publish this Codicil to my foregoing last will and testament by me heretofore made and published on the 11th day of June 1853.

Item - In case of the provisions made in my said foregoing will for William Thomas Croft and for Elizabeth Croft, I hereby make the following to wit: I give to my said Executor in like manner and under like conditions as in the 3rd and 6th items of my said will mentioned, the sum of one thousand dollars for the benefit of the said William Thomas Croft, instead of twenty five hundred dollars, as is therein directed; and instead of the two hundred dollars bequeathed to the said Elizabeth Croft in the 1st item of my said will. I give, desire, and bequeath to the said Elizabeth Croft, for and during the term of her natural life, all the real estate which I shall own or be entitled to at the time of my death, upon condition that she remain in my family and attend to my family domestic affairs as at present, as long as I live, and after the death of the said Elizabeth, or in the event she fail to remain with and aid me as above mentioned, then I give and desire the said real estate to the said William Thomas Croft in fee simple, in like manner & under like conditions & limitations as mentioned in the 3rd and 6th items of my said will. I hereby revoke and annul such provisions of my said will as are inconsistent with the provisions of this codicil. In witness whereof I have herunto subscribed my name this 27th day August 1853.
Subscribed and

manner & under like conditions & limitations as mentioned in the 6th item of my said will. I hereby revoke and annul such provisions of my said will as are inconsistent with the provisions of this codicil.

In witness whereof I have hereto subscribed my name this 24th day August 1853.

Subscribed and

acknowledged in the
presence of

William Newton

Teste

B. F. Williams.

Wm. H. Payne

A. D. Buford

At a Circuit Court Continued & held for the County of Pittsylvania the 29th day of May 1854— This writing with the codicil was offered for probat by John P. Kerddick & Isadora his wife. John Kerddick and Isadora I Kerddicks whereupon it was ordered that Thomas G. Poff & Delila his wife, Penymon W. Newton, Elizabeth Keroff and William Thomas Keroff and Thomas Hutchinson who is named as Executor in said writing be summoned to appear on the first day of the next term of said Court to contest the probat of said writing— And at the same term of the said Court Continued & held the 30th day of May 1854 it appearing to the Court by affidavit filed that the said Isadora Kerddick, Penymon Newton, Elizabeth Keroff and

William Thomas Croft are not residents of the State of Virginia they are required to appear within one month after due publication hereof and do what is necessary to protect their interest in said motion the object of which is to admit to probate writing purporting to be the last will and Testament of William Newton Deceased dated the 11th day of June 1853 with the Codicil annexed—

And at another day to wit at a Circuit Court Continued & held the 30th of October 1854 on the motion of Thomas J. Papp & Della wife they were admitted parties Contestants of the said will and reasons appearing to the Court it was ordered that the said motion be continued till the next term at the costs of the said Contestants

And at another day to wit At a Circuit Court Continued & held for said County the 4th day of June 1855 came the parties by the attorney and on the motion of the plaintiff Elizabeth Croft co executor and guardian ad litem of the infant defendant William Thomas Croft and on the motion of the defendants it was ordered it was ordered that a jury be sworn to ascertain whether the writing & Codicil aforesaid be the true last will and Testament of William Newton Deceased or not— whereupon Daniel Coleman Jr., Thomas Filppin, Sylvester Adams, Allen W. Womack Wm. H. Pak David M. Pannell, John Venable Thomas Oakes, Henry H. Ferguson, Wm. F. Wilkinson, Nathaniel W. Gardner, & Obadiah Echols were elected tried & sworn well & truly to try whether the writing dated the 11th day of June 1853

with the Codicil annexed be the last will and Testament of William Newton Deceased or not—

with a codicil thereto annexed be the true last will and Testament of William Newton Deceased and having partly heard the evidence by consent of the parties and with the assent of ^{the} Court were adjourned till the morrow morning, ten o'clock.

And at another day to wit. At a Circuit Court continued then for said County the 5th day of June 1855. Came the parties by their attorneys and the jury sworn. Yesterday in this Cause appeared in Court according to their adjournment and having fully heard the evidence and Arguments of Counsel upon their oath to say "we of jury do find that the paper writings one dated 11th day of June 1853 and the other (a codicil thereto annexed) dated 27th day of Aug 1853 and purporting to be the last will and Testament of William Newton Deceased are the true last will and Testament of said William Newton Deceased on consideration whereof the Court doth order that the said writings be recorded as if for the last will and Testament of the said William Newton Deceased, and that the said defendants Thomas G. Pap & Delpha his wife pay to the Plaintiff their costs by them in this behalf expended.

And at the same term of the said Court continued & held the 6th day of June 1855 on the motion of Burwell S. Knobb who took according to law and with Wade H. Hodges and John S. Braddock his securities entered into and acknowledged a bond in

the penalty of ten thousand dollars conditioned as the law requires
Certificate was granted him for obtaining letters of administration
de bonis non with the will annexed of William Newton Deceased
and the Codicil thereto in due form the Executor therein
named refusing to take upon himself the burden of the Execution
thereof.

Examined

Teste

Wm. H. Tunstall Clerk.