

...the subscribing subscribers thereto and ordered to
be recorded: And on the motion of Susan T. Whitescarver she
therein named who made oath thereto and together
with James W. Bragg, Philip Rudasiew, Cornelius Smith and
Robert A. Whitescarver her sureties (who justified on oath as to
their sufficiency) entered into and acknowledged a bond in
the penalty of \$10,000 conditioned as the law directs, certificate
is granted her for obtaining a probate thereof in due form.

Dated

WROBT. M. Helmerck clk

I Thomas W. B. of the County of Rappahannock do make and
subscribed this my last will and testament hereby revoking all others
I have made. In the first place I wish all my just debts paid
Secondly after the payment of my just debts I give and bequeath
the whole of the residue of my property to my wife Margaret
as long as she lives except the Logan homestead and
thereby I give and bequeath to my daughter Sarah
my share in the land and also the children and
my share in the land except the Logan homestead
to my daughter Sarah and to the children and
my share in the land except the Logan homestead

and to her child or children after her death, should she not leave a child, children or descendant at her death, then the African negro and their increase are to be disposed of as hereinafter directed also my daughter Sarah Ellen Ball is to pay to my daughter Martha A. Fisher four thousand dollars out of her legacy above.

Fourthly I give and bequeath to my daughter Martha A. Fisher for her life, negro woman Wmmy now in her possession and all her children and their increase, also negro woman Tanny and girl Alice heretofore named increase to be equally divided among her children and their descendants. I also give and bequeath to my daughter Martha A. Fisher two bonds which I hold against her viz. one for the sum of one thousand and eighty two dollars under her own signature dated the second day of December 1856. The second for ninety one dollars and seventy cents signed by James A. Fisher as agent for Martha A. Fisher and dated the 29th day of January 1859, likewise Martha A. Fisher is to hold Sarah Ellen Ball bound to her for the sum of four thousand dollars to be paid out of her legacy as above named.

Fifthly I give and bequeath to my daughter Mary A. Vernon for her life negro woman Adalaide and all her children now in her possession and at her death the said negro and their increase her children and their descendants to be equally divided among

Sixthly I give and bequeath to my daughter Margaret E. Payne for her life, negro woman Julia and all her children now in her possession and their increase, also negro woman Amy (old) and my bond or obligation for the sum of four thousand dollars to bear interest until it comes into her possession.

said negroes and their increase to be equally divided among her children and their descendants.

Terrific I give and bequeath to my son John Thomas Wade negro woman Emily and all her children, now in his possession and their increase, also negro man Marshall and all the sum of five hundred dollars to be held by him upon the trusts hereinafter specified for the exclusive benefit of his wife and children.

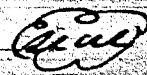
Legally Having thus placed my children upon an equal footing the residue of my property of every description after the death of my wife, is to be divided into five equal parts, one of which I give to my daughter Sarah Ellen Wade for her life, and to her child or children after her death, should she not however bear a child, children or descendant at her death, then the said fifth part is to be disposed of as hereinafter directed, one to my daughter Martha A. Fisher, one to my daughter Mary A. Brown, one to my daughter Margaret C. Payne for her life, and at her death to her children and their descendants, and the remaining part to my son John T. Wade in trust for the exclusive benefit of his wife and children now alive or hereafter to be born, but so far as any benefit is taken under this will by my son John T. Wade it is assigned to be preserved him, and is not to be in any way subject or liable to his debts or liabilities or contracts now existing or hereafter to arise, and should any creditor of his attempt in any way to subject the property left in trust by this will to the payment of his debts then any interest he may take under this will is to cease and determine, and James A. Brown one of my Executors named after me, is to hold the same for the exclusive benefit of his wife and children under the death of the said John T. Wade.

hereafter born and their descendants, as if she had died intestate, absolutely intestate to the property contained in this, and in the clause of this will. —

Further, should my daughter Sarah Ellen Dale die without leaving a child, children or descendant surviving her, then the whole of the property bequeathed to her in this will is to be divided among my other four children as if she had been totally omitted, and her fifth part together with the special legacy to her under the third clause, divided among my other children under the eighth clause, so as to make four instead of five parts. And whenever I dispose of any property in this will, after giving a life estate to a child, children or descendants, my intention is, that the property shall be divided among those who would have taken the same if the life tenant had been absolutely omitted to the same and had died intestate, excluding the claims of all those who may have married my children hereinafter mentioned.

And I hereby appoint my son John T. Dale and my grandson James A. Foster Executors of this my last will and testament. In witness whereof I have hereunto subscribed my name or made my mark and appeared my seal this 20th day of October 1860

On 1st page 9th line the word
"daughter" underlined before signing.

Thomas ^{for} Dale 
mark

Signed sealed and acknowledged in presence of

George L. Dale
John W. Brown
Virginia Brown

bequeathed to my daughter Sarah Ellen Dale on my last will and testament to which this is appended, I have not here set for a sufficient sum at this time for her support; I therefore desire that she live with her mother who shall hold the said negro in trust for the benefit of my daughter Sarah Ellen Dale during her life and furnish my said daughter with a good and sufficient support.

Given under my hand and seal this 3rd day of November 1860

Signed sealed and acknowledged

Thomas ^{his} Dale (Seal)
mark

in the presence of

Geo. L. Dale

John W. Brown

Argentine Brown

In Rappahannock County Court 11th day of February 1861

This last will of Thomas Dale deceased together with a codicil thereto annexed was this day produced to the Court and both sworn by the oath of George L. Dale, John W. Brown and Argentine Brown the subscribing witnesses to the said will and codicil which are ordered to be recorded and as a Court held for the said County on the 11th day of

March 1861. On the motion of John Thomas Dale one of the executors named in the last will of Thomas Dale deceased which was duly sworn and ordered to be recorded at the February term 1861 thereof, who made oath that he was with John J. and Thomas C. during his account, entered into an agreement to be made in the presence of J. J. and C. as the law directs, and that he was for obtaining a full and true account of the said deceased's estate as well as for their support,