

propounded the said Will for probate, and it having been shown to the Court that James C. Ledbetter, and Griffin T. Ledbetter the subscribing witnesses to said Will are unable from sickness to attend this Court, it is ordered that a commission be issued and annexed to said Will directed to James W. Palmer a Commissioner in Chancery of the Circuit Court of Roanoke County, to take the deposition of the said James C. Ledbetter and Griffin T. Ledbetter, whose duty it shall be to take the same.

And at Roanoke County Court January Term (Saturday 21st) 1878. The last Will and Testament of John Scott deceased was this day produced in Court together with the depositions of James C. Ledbetter and Griffin T. Ledbetter, subscribing witnesses thereto taken under a commission directed on motion to be issued. And the said depositions having been read in Court, and it appearing that the same are in due and legal form, it is ordered that the said Will be recorded as and for the last Will and Testament of the said John Scott deceased.

A copy from the records of Court.

Teste Wm. M. Cauley, Clerk.

Thomas. In the name of God - Amen.

I Elias Thomas of Catawba Roanoke County Va being of sound and disposing mind and memory, do make this my last will and testament, hereby revoking all former will by me at any time heretofore made.

And as to my worldly estate, and all the property, real personal, or mixed of which I shall die seized and possessed, or to which I shall be entitled at the time of my decease, I devise, bequeath, and dispose thereof in the following manner to wit:

First. My will is, that all my just debts and funeral expenses, shall, by my executors hereinafter named, be paid out of my estate as soon after my decease as shall be found by them convenient.

Second. My Beloved wife Mary Thomas if she should be living at the time of my death is to have the entire use of the estate, to be controlled by my executor hereafter named, as long as she may live ("I.E.") that the entire profits of the estate is to be appropriated to her support.

Third. At the death of my wife, if she should outlive me, my will is, that the entire estate shall be sold, by my executors on such time as they may deem best, for the interest of the estate and be equally divided among my children as follows, an equal portion of the estate shall, be given to Emeline Jeter, Elizabeth Barnett, if she should be living at the time of my death, if not, then her part to be equally divided between the balance.

named Giles S. Thomas, the bodily heirs of Matilda McDonald
 dec'd, Charles W. Thomas, Mary W. Brand, John W. Thomas, and
 B. Ellen Dosing. I have given my son James B. Thomas his
 full share of my property consequently he is not named in the
division of the estate & it is not intended that he shall
 share in the division.

And I hereby appoint W. W. Brand and James B. Thomas my
 executors to carry out the above provisions of my will.

Given under my hand and seal this 5th day of January 1875.
 Elias Thomas ^{his} mark

Signed, sealed and declared by the said Elias Thomas to be
 his act & deed in the presence of us at his request, and in
 his presence and in the presence of each other.

John W. Vandegrift ^{Seal}
 George Painter ^{Seal}

At Roanoke County Court March Term 1878.

The last Will and Testament of Elias Thomas deceased, was
 this day fully proved by the oaths of John W. Vandegrift and George
 Painter, subscribing witnesses thereto and was thereupon ordered
 to be recorded.

A Copy from the records of Court
 Jesto W. McCauley, Clerk.

David Ferguson Sr. I David Ferguson Sr. of Roanoke Co. Virginia, being in my
 usual health, but of advanced age, and well knowing the un-
 certainties of life, do make constitute & appoint this my last
 will and testament

1st And first. I give & devise to my son John Ferguson, to
 Celia Ann Ferguson wife of David Ferguson Jr and the heirs of
 3^d Celia Ann Ferguson by her husband David Ferguson the tract
 of land I now live upon, but not to have or control the 2^d tract
 of land until the death of both myself & my wife.

2. I give & bequeath to my wife Mary Ferguson all the per-
 sonal, which I may own at the time of my decease to have hold
 the same as long as she may live, & then go to Mary Ann Fergu-
 son, daughter of James Ferguson.

3. I give to my sons Wm. James, Samuel, Wilson J. and
 to my daughters Mary, Margaret & Ellen, one dollar each
 to be paid out of my estate.

In witness whereof I have hereunto set my hand and seal
 this 28th day January one thousand eight hundred and sixty

David Ferguson ^{Seal}

Signed, sealed & declared by the above named David Ferguson