

James Kyle,

This Will exhibited in the Clerk's Office of Roanoke County Court the 14th day of October 1867 the same having been duly stamped, cancelled, and the penalty committed by E. Boyd Pendleton Clerk of said Court on the 5th day 1867.

Roanoke County Court the 14th day of October 1867 the same having been duly stamped, cancelled, and the penalty committed by E. Boyd Pendleton Clerk of said Court on the 5th day 1867.

Teste

Wm. M. Canby, C.

Roanoke County May 2nd 1863

I James Kyle, of the County of Roanoke the being of sound mind but of feeble body health do make this my last Will and testament in manner and form as follows -

1st I give to my wife Nancy P. Kyle a full and ample support during her natural life in consideration that she will live with my son Wm. Henry Kyle, and share my said son Wm. Henry, die during the lifetime of my said wife Nancy, I Kyle I think provision to be made out of my estate for the comfortable maintenance during her natural life.

2nd I give to my said son Wm. Henry Kyle in fee simple, all my estate both real and personal to me, all my lands, negroes, household and kitchen furniture, farming utensils, stock of all kinds, all growing crops, grain and provisions of every description together with all money and town which may be in hand at the time of my demise.

3rd Should my said son Wm. Henry, die without an heir of his body or without wife then and in that event I give all property herein bequeathed to him by me which may be in his possession at the time of his demise to John Benson and Andrew Benson, children of my deceased sister Ann Benson formerly of Back Co. Va. but late of the State of Missouri.

4th It is my desire that all my property be inventoried and appraised by three competent persons to be appointed by the Court of this County for that purpose as soon as convenient of or by my demise. 5th I appoint my said son Wm. Henry, sole Executor without security of this my last Will and testament.

Teste

A. B. Brown

J. A. Harris

Chas. C. Cooke

J. Kyle

Roanoke County March 21st 1863

After due consideration in view of the state of the County and the continuance absence of my son from home I request my friend Chas. C. Cooke to act as joint executor of my last Will and testament and I now appoint my said son Wm. Henry Kyle and my said friend Chas. C. Cooke joint executors of this my last Will and testament. And I further direct that neither they jointly nor either one of them shall be required to give security.

Teste

H. P. Roberts
Gabriel Thornstun.

James Kyle

See Widow's Reimbursement - page 182

At Roanoke July Court 1863

The last Will and testament of James Kyle died, with a codicil thereto attached, was then read, produced in Court, and the said Will was partly provided by the oath of Charles L. Cooke one of the subscribing witnesses thereto and the said codicil thereto was partly provided by the oath of Wm. P. Roberts one of the subscribing witnesses thereto and the same are submitted for further proof.

And at Roanoke September Court 1863. The last Will and testament of James Kyle died with a codicil thereto attached which were provided in part at the the July term last were again produced in Court and the said Will was further proved by the oath of A. B. Brown one of the subscribing witnesses thereto, and the said codicil was further proved by the oath of Gabriel Thornstun one of the subscribing witnesses thereto, and thereupon the said Will and Codicil are admitted to probate as the last Will and testament of the said James Kyle died.

A copy from the records of Court.

Teste
F. Johnston

Mary Frances

In the name of G. D. Anne

This Will exhibited in the Clerk's Office of Roanoke County Court the 4 day of October 1867 the same having been duly stamped, cancelled, and the penalty committed by E. Boyd Pendleton Clerk of said Court on the 5th day 1867.

Teste

Wm. M. Canby, C.

County of Roanoke and State of Virginia being of sound and disposing memory but of feeble health do make and ordain this my last Will and testament in manner and form as follows to wit -

1st I direct that all my just debts be paid by my executor as soon after my demise as practicable.

2nd I hereby give to my Brother Henry N. Frances in fee simple the following property to wit - All my land also estate that Mary

are to be sold of, also my two negro men Barney and Jim and my big horse George, and gray mare Pops and lot of kind gear

Buckhams, &c. 3rd It is my desire and I hereby direct that all my property not devised my brother Henry N. Frances be sold as soon after my death as practicable and the money arising from the sale of said property after paying my just debts as aforesaid I leave to my said brother Henry N. Frances to do with as he may think proper or as may be necessary to support the family and in the best manner either with cash or stock, and to have tombstones put to the grave of all the family viz. to my father's and Mother's also to my grandfather's and grandmother's and to all my brothers and sister as well as to my own grave. Having full confidence in my executor I leave it unto him to select such tombstones as he may think proper or may be able to get - and after paying all expenses therefor if any balance should remain unpaid, I reserve in and appropriate it

Teste

Wm. M. Canby, C.