

At Roanoke, October Court 1859.

A paper purporting to be the last Will and Testament of Thomas J. Walton dec'd, was this day produced in Court, and its having been proved by the oath of Elisha B. M. Clarkson and F. Johnston, witnesses examined in Court, that Blanche & Scott and Sarah Betts, subscribing witnesses, to said Will are dead, and that their signatures thereto are in their handwriting, the said Will is therefore admitted to record. Also in the Motion of Elisha B. M. Clarkson who made with those named J. K. Pitger by security entered into and acknowledged in Bond in the presence of the Court with conditions according to law, and it appearing to the Court that Elizabeth V. Walton the Executrix named in said Will declines to qualify as the said Executrix thereof, that said E. B. M. Clarkson is appointed Administrator with the Will annexed of the said Thomas J. Walton dec'd.

A Copy from the record of Court
Date

John T. C.

Simon E. Gordon, In the name of God, amen. I, Simon E. Gordon being in perfect health, of sound mind, do make and ordain this my last Will and Testament viz.

After my death, I desire to be decently buried, and the expenses as well as all my just debts to be paid.

I give to my wife Isabella during her natural life all that portion of my land (being part of the tract purchased of the Estate of A. D. Dillard dec'd) lying west as far as the top of the Mountains, beginning at a white oak corner where said land, as well as Mr. Persinger's and the Estate of A. D. Dillard's corners - containing as I suppose about 180 acres, it being the land now owned by Samuel Newman; and at the death of my said wife I give the said land to my daughter Mary, as to the son of my said wife Daniel James Michael, to be equally divided between them, or my wife may, make this division between them at her discretion during her life. I give in fee simple to my said wife Isabella one cow and half of my stock of hogs, as well as one third of all my household and kitchen furniture. I furthermore desire that the place where John Kephley now resides, it being a part of the tract of land purchased of A. D. Dillard's estate, which shall include all of the remaining of said tract purchased of the Estate of A. D. Dillard dec'd, be sold on a reasonable credit at the discretion of my executor, and at or before the price pay my funeral expenses, \$200, and four hundred dollars to my wife Isabella for the purpose of erecting the new burying building on the land herein left to her - also shall pay to my daughter Martha Mallory One hundred dollars which shall be her full share of my estate together with a horse sold to her by said Isabella which I hereby give to her. I furthermore bequeath to my daughter Jane

and Susan the tract of land on which I reside, supposed to contain about one hundred and thirty eight acres, together with all the stock, crops, household and kitchen furniture which may belong to me (excepting off the cow, half of my stock of hogs, and one third of my household and kitchen furniture already bequeathed to my wife) to be equally divided between my said daughters Jane and Susan; and after the payment of the aforesaid bequests if any of my estate remains, I bequeath the same to my said daughters Jane and Susan to be equally divided between them.

Lastly I do hereby constitute and appoint my friend Rev. John Drabaker executor of this my last Will and Testament. My signatures are made this day of September One Thousand and Eight hundred and fifty nine. The witness "half or more of one horse" tract and half of my stock of hogs inserted before signed.

Signed and acknowledged in presence of both of us being present at same time

Colin Bap

John W. Day

Know all men that I, Simon Gordon do constitute and make this a Codicil to the within Will. First, I desire that my Executor shall purchase a horse of the value of one hundred dollars to be paid for out of my estate, which I will and bequeath to my wife Isabella Gordon. I give and bequeath to my two eldest daughters Susan and Jane my bay horse and bay mare, and a bridle and saddle for each. If there is a crop of clover seed made the present season on my place, I direct that there be no sale made until after the clover is threshed and if no clover seed is made that date may take place so soon after the harvest of the wheat crop is threshed. If my executor thinks best to sell the grain & hay privately, I authorize him to do so.

In testimony whereof, I have hereunto set my seal & signature this 18th day of May 1859
John J. Broome
Simon E. Gordon
John W. Day

Know all men of these presents, that I, Simon Gordon do make and constitute this Codicil to my Will. First, I desire that my executor Smith Petty shall purchase a horse of the value of one hundred dollars to be paid for out of my estate which horse I will and bequeath to my two eldest daughters Susan and Jane. My bay horse and bay mare, and a bridle and saddle each. If there is a crop of clover seed made on my farm the present season, I direct that there shall be no sale of my property until the clover seed is threshed. If my Executor thinks best to sell the grain and hay privately, I authorize him to do so. In addition to what I have bequeathed

fore in my will give to my wife and Martha Mallon, I give to each of them the sum of two hundred dollars. If my executor finds it necessary to sell a portion of my Real Estate for the purpose of carrying out the provisions of my will, and this said child, he is directed to do so. This is designed to make null and void as to what is written on the back of my Will dated 18th May 1859.

In testimony whereof, I have hereunto set my seal and signature this 25th May 1859 in
 Witness my hand
 J. Brosius
 Isaac Brabaker

At Roanoke June Court 1859
 The last Will and Testament of Simon E. Gordon deceased with a Codicil thereto was, this day produced in Court and the said Will was, now according to law by the oath of John B. Day and John W. Day, subscribing witnesses thereto, and the said Codicil was, now according to law by the oath of Jacob Brosius and Isaac Brabaker subscribing witnesses thereto, and the said Will & Codicil are thereupon admitted to probate. And on motion of Smith Petty, the Executor therein named, who made oath thereto, and with John W. Day and Lewis Staff as his securities, entered into and acknowledged a bond in the penalty of \$3000.00 with co-sureties according to law, the said Smith Petty is appointed and declared Executor of Simon E. Gordon deceased.

A Copy from the Records of Court
 Tute
 Thornton C

ad Murray
 I, Jacob Murray of the County of Roanoke and State of Virginia, being of sound and disposing mind and memory, and wishing to dispose of such of my Estate as under Providence I am permitted to possess, do make & ordain this my last Will and Testament, in witness & form as follows. First, I direct that my executor herein-after named, shall pay all my just debts and funeral expenses out of the first money that may come into his hands belonging to my estate.

Secondly - I give to my beloved wife Catherine L. Murray, such of my household and kitchen furniture as she may choose to take, which shall not be exposed to public sale.

Thirdly - I give and bequeath unto my beloved wife Catherine and to my adopted son James R. Burchett all the balance or residue of my Estate, both real or personal, to be divided equally between them, share and share alike except such sums as I may hereinafter appropriate to specific purposes.

It is my will, and I hereby direct my executor to do so.

after my death or proper arrangement, can be made, and due and reasonable notice can be given, to sell to the highest bidder at public auction all my landed and personal Estate (except my slave). The personal property to be sold upon the usual terms. My executor shall require the purchaser of my land to pay one-fifth of the purchase money in hand, and the balance in such payments as he may think best, either requiring the interest upon the payments or not according to his own discretion and taking such security as will render the deferred payments perfectly safe.

It is my will and desire that my executor shall sell my servant man Stephen to his (Stephen's) wife upon very moderate terms, such as will enable her to make the purchase.

With regard to my servant man (Alexander) it is my wish that my executor permit him to hire himself at free wages to me, and that he be permitted to receive and to make use of his own wages as he pleases, provided he shall conduct himself in a proper and orderly manner. If provided against his becoming charged to any other person in his old age, if he should come to want, I direct that my wife and my said adopted son James R. Burchett shall each bind themselves to pay an equal amount towards his (Alexander's) support if it shall become necessary.

It is my wish that my servant Phil be permitted to select the person to whom he wishes to be sold, to whom my executor may sell him, if suitable terms can be arranged.

My servant girl (Rose) shall be allowed to select a master for herself, and her two children (Henry & Harrison) to whom my executor may sell them if suitable terms can be agreed upon. If sales cannot be effected with the person selected as master by the above slaves, which are to be sold, then in that event my executor is authorized to sell them privately to such persons as he may think will make them good and kind masters. I do not wish them to be sold publicly and taken away among strangers, if it can be avoided.

It is my express wish and desire that my adopted son J. R. Burchett shall continue at Roanoke College until he graduates, unless his health should render it impracticable to do so. I therefore direct that my executor shall put out upon interest all the money that may come into his hands or part of the legacy of the said Burchett until he graduates, and only pay over to him from time to time such sums as may be necessary to pay for his schooling, clothing and reasonable amount of spending money. So soon as he graduates or his health fails him that he cannot continue at College, his portion of my estate shall be paid over to him so fast as the money is collected from the sale of my property. Every part of this my last Will and Testament shall be