

Be it remembered That I, Richard Dale of the City of Philadelphia. Gentleman being of sound disposing mind memory and understanding Considering the uncertainty of this life and certainty of death do make and publish my last Will and Testament in manner following to say -

First I do order and direct that all my just debts and funeral Charges be paid

Item I do give and devise unto my beloved wife Dorothy Dale the sum of Sixty Thousand Dollars and all my house hold goods of every description

Item I do give and devise unto my son John Montgomery Dale the sum of Fifteen Thousand Dollars

Item I do give and devise unto my son Edward C. Dale the sum of Fifteen Thousand Dollars

Item I do give and devise unto my Executors and Executors herein after named and the survivors and survivors of them and to the Executors, Administrators and assigns of such survivor the sum of Fifteen Thousand Dollars In trust to be by them invested and continued from time to time in six percent stock of the United States or in Mortgage of Real Estate at Interest and In trust to receive and receive the Interest thereof and to pay over the same from time to time when and as received into the hands of my daughter Sarah B. Dale or to such person or persons as she by writing under her own hand shall appoint to receive the same for her own separate use and support in such way and manner and so that the same shall not be in the power or subject to the debts, Control, or engagements of any Husband she may marry and for which Interest the receipts of her the said Sarah in her own name and under her own hand or the receipts of any person or persons whom she may appoint to receive the same as aforesaid notwithstanding any Coverture shall be deemed sufficient in the law and at and immediately after the decease of my said Daughter the said last mentioned principal sum of Fifteen Thousand Dollars and the Stocks, Mortgages and Securities in which the same may be invested shall go and I do give the same to such person or persons and in such way and manner as the said Sarah by her last Will and Testament or any writing in the nature of and by her intended as and for her last Will and Testament to be by her signed and Executed in the presence of two or more Credible Witnesses notwithstanding any Coverture shall nominate direct and appoint and for want of such appointment then the said last mentioned principal sum and the Stocks, Mortgages and Securities in which the same may be invested shall go and I do give the same to the legal representatives of her (my

Daughter Sarah for their own use and benefit -

Item - I do give to my Executors and Executors herein after named and the survivors and survivor of them and the Executors Administrators and Assigns of such survivor the sum of Fifteen Thousand Dollars in trust to be by them invested and Continued from time to time in the six percent Stock of the United States or in Mortgage of Real Estate at Interest And in trust to receive and receive the Interest thereof and to pay over the same from time to time when and as received into the hands of my daughter Elizabeth Dale or to such person or persons as she by writing under her own hand shall appoint to receive the same for her own separate use and support in such way and manner and so that the same shall not be in the power or subject to the debts Contract or engagements of any Husband she the said Elizabeth may marry and for which Interest the receipts of her the said Elizabeth in her own name and under her own hand or the receipts of any person or persons whom she may appoint to receive the same as aforesaid notwithstanding any Coverture shall be deemed sufficient in the Law and at And immediately after the decease of my said Daughter Elizabeth the said last mentioned principal sum of Fifteen Thousand Dollars and the Stocks, Mortgages and Securities in which the same may be invested shall go and I do give the same to such person or persons and in such way and manner as she the said Elizabeth by her last Will and Testament or any writing in the nature of and by her intent as and for her last Will and Testament to be by her signed and executed in the presence of two or more credible witnesses notwithstanding any Coverture shall nominate direct and appoint And for want of such appointment then the said last mentioned principal sum and the Stocks, Mortgages and Securities in which the same may be invested shall go and I do give the same to the legal representatives of her my said daughter Elizabeth for their own use and benefit. -

Item and as to all the rest residue and remainder of my Estate whatsoever and wheresoever in the World Real Personal and mixed I do give devise and bequeath the same unto my Wife the said Dorothy Dale and to my four children the said John Montgomery Dale, Edward L. Dale, Sarah L. Dale and Elizabeth Dale their respective Heirs, Executors, Administrators and assigns forever share and share alike and in Common -

And lastly I do hereby nominate and appoint my wife Dorothy Dale and my friend Captain James Cooper and Austin Montgomery to be the Executors and Executors of the said last Will and Testament

herely reposing all others by me at any time heretofore made. I do declare this only to contain my last Will and Testament. In Witness whereof I have hereunto set my hand and seal this Sixth day of December in the year of our Lord One thousand Eight hundred and twenty two

Signed, Sealed, Published and declared by the abov named Richard Dale as and for his last Will and Testament in the presence of us —

R. Dale Seal

T. Mitchell

A. D. Cash

off^d March 9th 1826

Philadelphia March 9th 1826 These persons — ally appeared Thomas Mitchell & Andrew D. Cash the

Witnesses to the foregoing Will and on their solemn affirmation according to law did declare and say that they did see & hear Richard Dale the testator in said Will named sign seal publish and declare the same as and for his last will & Testament and that at the doing thereof he was of sound mind memory & understanding to the best of their understanding & belief, Coram Edmund Rogers Dep^y Register

Dorothy Dale, Captain James Cooper & Austin Montgomery ^{the Executors} ^{persons} saw day & deliver Testamentary granted unto them

Philadelphia June 9th 1829. Then personally appeared Thomas Mitchell and Andrew D. Cash the subscribing Witnesses to the foregoing Will, who being conscientiously scrupulous of taking an oath & being duly affirmed according to law did declare & say that they were personally present and saw and heard Richard Dale the testator in the said Will named sign seal publish & declare the same as and for his last will & Testament and that at the doing thereof he was of sound mind memory and understanding to the best of their knowledge and belief and at the request and in the presence of the said testator and in the presence of each other they the said officers subscribed their respective names as Witnesses thereto — W. Seyer. Register

State of North Carolina } Court of Pleas and Quarter Session
Buncombe County } July Term 1860

J. J. T. Wearo Clerk of said Court do hereby Certify, that the due Execution of the foregoing Will of Richard Dale Dec^d, was duly proven in open Court by the Oath of A. D. Cash one of the subscribing Witnesses thereto and the handwriting of T. Mitchell the other subscribing witness was proven by the Oath of John C. Mitchell who swears that he is well acquainted with the signature and handwriting of the said T. Mitchell, having frequently seen him write, and that the signature of T. Mitchell to the foregoing Will and Testament is in the proper handwriting of said T. Mitchell and that the said T. Mitchell is dead. Therefore it is ordered by Court that the foregoing Will and Testament must be recorded. Given under my hand and seal of office this the 14th day of July 1860. J. J. T. Wearo Clerk (Jr)

This is the Testament and last Will of George Latimer of the City of Philadelphia Merchant. - Imprimis - I order and direct that all my just debts and funeral expenses shall be paid and discharged by my Executors herein after named. - Item All my Estate and property, Real and Personal whatsoever and wheresoever I give devise and bequeath to my Wife Margaret Latimer her heirs and assigns in fee simple, to dispose thereof at her pleasure, but in case it shall happen that my said Wife shall die intestate and without disposing of all or any part of the property herein to her devised, in that event only I do give devise and bequeath so much of the said property as may not have been devised or disposed of by my said Wife to my two daughters Elizabeth Latimer and Margaret Latimer and their respective heirs forever in Fee Simple as Tenants in Common. Item.

In Case I should survive my said Wife in that event, I give devise and bequeath all my Estate and Property Real and Personal whatsoever and wheresoever to my said two daughters Elizabeth Latimer and Margaret Latimer and their respective heirs forever in Fee Simple as Tenants in Common. Item. I nominate constitute and appoint my Wife Margaret Latimer, my son James Latimer, and my two daughters Elizabeth Latimer and Margaret Latimer to be the Executors of this my Testament and last Will, hereby recalling and annulling all other and former Wills and declaring this and this only as and for my Testament and last Will. In Witness whereof I have hereunto set my hand and seal this fifteenth day of July in the Year of our Lord One Thousand Eight Hundred and Twenty Three

Geo Latimer (Seal)

Signed, Sealed Published Pronounced and declared as and for his Testament and last Will by George Latimer the Testator in the presence of us, who in his presence at his request and in the presence of each other, have subscribed our names as Witnesses thereto In Testimony

J. R. Latimer Benj. Kilgman

This is a Codicil to the Testament and last Will of George Latimer of the City of Philadelphia Merchant. I do hereby nominate constitute and appoint my friend John R. Latimer to be one of my Executors of my will in addition to the persons named therein and I do hereby ratify and confirm my said Testament and last Will with this addition. In Witness whereof I have hereunto set my hand and seal to this Codicil on the day of December 1831 of our Lord one

Thousand Eight Hundred and Twenty Three
Signed, Sealed, Published Proclaimed and
declared as and for a Codicil to his
Testament and last Will of the above
named George Latimer in the presence of
us, who in his presence at his request,
and in the presence of each other
have subscribed our names as witnesses
thereto (In Testimony)

Geoff Latimer Seal

Benjⁿ Tilghman J. M. Gouge

Philadelphia June 24th

1825. Then personally appeared
John Roberts & Benjamin Tilgh-
man two of the witnesses to the

above going Will and Codicil and the former on his solemn
affirmation and the latter on his solemn oath according
to Law did declare & say that they did see & hear George Latimer
the testator in the said Will & Codicil named sign, seal publish
& declare the said Will & Codicil as and for his last will &
Testament & Codicil thereto and that at the doing thereof he was
of sound mind memory and understanding to the best
of their knowledge and belief

Coram Edmund Rogers Dep^y Register

James Latimer, Elizabeth Latimer & Margaret Latimer
three of the Executors sworn June 30th 1825 & letters Testamentary
granted unto them

Philadelphia April 21st 1829

Then personally appeared Benjamin Tilghman one of the
witnesses to the foregoing Will and Codicil and on his solemn
oath according to Law did declare and say that he did
see and hear George Latimer the Testator in the said Will
and Codicil named sign seal publish & declare the said
Will and Codicil as and for his last Will ^{and Testament} and Codicil
thereto, that the name of Benjⁿ Tilghman to the said
Will and Codicil subscribed as a witness is the proper
signature and handwriting of him the deponent, and
that he did subscribe the said Will and Codicil as a
witness in the presence and at the request of the said
George Latimer the Testator, and that at the doing
thereof he the said George Latimer was of sound mind
memory and understanding to the best of the said
deponent's knowledge and belief Benjⁿ Tilghman

Sworn and subscribed
before J. M. Gouge Reg^r
April 21. 1829.

Philadelphia April 21st 1829

Then personally appeared Jesse M. Gouge and Benjamin
Tilghman two of the witnesses to the foregoing Codicil
who being severally sworn according to Law did

Declare and say that they did see and hear George Latimer the Testator in the said Will and Codicil named sign seal publish and declare the same as and for a Codicil to his testament and last will, that the names of J. W. Gouge and Benjⁿ Dilghman therewith subscribed as witnesses are the proper signatures and handwriting of them the said J. W. Gouge and Benjⁿ Dilghman respectively and that they did severally subscribe the said Codicil in the presence and at the request of George Latimer the said Testator, and that at the doing thereof he the said George Latimer was of sound mind memory and understanding to the best of their knowledge and belief.

Sworn & subscribed before me

Mr. Lyon

Register

Benjⁿ Dilghman
J. W. Gouge.

April 21. 1869

State of North Carolina } Court of Pleas and Quarter
Buncombe County } Sessions July Term 1860

J. J. Wearer Clerk of said Court, do hereby certify that the due execution of the foregoing Will and Testament of George Latimer, was duly proved in open Court by the evidence of John R. Latimer one of the subscribing witnesses thereto, and the handwriting of John Roberts, another of the subscribing witnesses to the said last Will and Testament and the Codicil thereto is proven by the said John R. Latimer, who swears that he signed the Will in conjunction with him, and Wm. Craig, who swears that he is well acquainted with his handwriting having had said Roberts in his employ for a number of years, and the handwriting of Benjamin Dilghman another of the witnesses to said last Will and Testament and Codicil thereto is proven by the said John R. Latimer who swears he signed said Will in conjunction with him and one Thos. Dunlap, who swears that he is well acquainted with his handwriting, having frequently seen him write and that the said John Roberts and Benjamin Dilghman are both dead.

It is therefore considered by the Court that the said Will and Testament and every part thereof is the last Will and Testament of the said George Latimer and the same is ordered to be recorded.

Given under my hand and seal of Office this 14th day of July 1860

J. J. Wearer Clerk (S) x