

give to her my part of horses and carriages and my household and kitchen furniture. I also desire that my wife shall have the privilege of remaining on my plantation in Southampton County, Va. free of charge during her widowhood and also that Mrs. B. Magharrath with her two children may also have the same as a home during the widowhood of my wife free of expense except for the board of the children.

And my wife is expected to be delivered of a child shortly it is my wish that if said child should be born then that said child should have the whole of the balance of my estate except such as is herein otherwise disposed of under the following limitations, to-wit: in the event that said child should not be born alive or if born alive and should not live to the age of twenty one years or if a girl should not marry, then it is my wish that all my property in the State of Virginia including plantation, negroes, stock current &c. &c. shall be divided according to the Statute of distribution of Virginia between my next of kind of the Magharrath family. My property in the State of North Carolina consisting of a plantation and negroes and stock &c. &c. New Trent I wish in that event to go to my brother James B. Magharrath of Virginia in fee.

3^d I also give absolutely to my said brother James my horse Jim being my saddle &c.

4th Item, I do hereby appoint my uncle A. B. Magharrath, D. R. A. Magharrath, and my brother J. B. Magharrath my sole executors with full power to sell, dispose of and manage all property as they may think best for my estate. 5th I have given my wife twenty thousand and shall expect her to relinquish all right to share in my real estate, at the same is intended in lieu thereof and he is not to have the same untill she does give up her right of dower. I give her also all my North Carolina land in that event.

6th I do also appoint my said executors as the guardian of the person and property of my child in the event that it should be born alive.

In testimony whereof, I have hereunto set my hand and seal this 2^d day of July 1856.

Witnessed sealed and published by the testator, }
in our presence each one by his direction }
and request }

W. H. Magharrath Seal

David A. Vassett
W. C. Ligon
Jos. W. Magharrath
A. T. George

Attest held for the County of Southampton, the 13th day of September 1856. The last will and testament of W. H. Magharrath deceased was this day further proved before the oath of W. C. Ligon a subscribing witness thereto, and the same having been proved at the oath of A. H. Ligon a subscribing witness thereto, and the same having been proved at the last term of this Court by the oath of Joseph W. Magharrath a subscribing witness thereto, was thereupon ordered to be recorded. And on the motion of James B. Magharrath & Richard A. Magharrath, two of the executors therein named who made oath thereto, and together with Asa W. B. Magharrath, Chas. F. Magharrath, Hon. A. Magharrath, & William Magharrath their securities (who justified on oath as to their disqualification) & William Magharrath their securities (who justified on oath as to their disqualification) returned into and acknowledged aloud in the penalty of thirty thousand dollars each the said will in due form. Liberty being reserved to Asa W. B. Magharrath the said will in due form. Liberty being reserved to Asa W. B. Magharrath the other executor therein named to join in the said probate when he shall think fit.

Test, J. H. Edwards, C. C.

In the presence and attestation of the estate of Mr. William Magharrath deceased this 17th day of August 1856 by J. D. Dixon, William C. Ligon, and J. H. Edwards and a person by name D. Magharrath, J. B. Magharrath, J. B. Magharrath and George W. Ligon.