

X October Session 1837

The Last Will and Testament of Elijah Williamson  
In the Name of God Amen

I Elijah Williamson of the County of Buncombe and State of North Carolina calling to mind the uncertainty of life and being of sound and disposing mind and memory do make ordain and Establish this my Last Will and Testament in the manner following that is to say  
First I will and bequeath my Soul to God who gave it and my Body to the Earth to be Buried in a decent and Christian like manner Nothing doubting but I shall Receive it again at the General Resurrection and as Touching such worldly property as it has pleased God to Bless me with I dispose of it in the following manner (to wit)

Item 1<sup>st</sup> I will and desire that all my just debts be paid and that all debts due me ~~at~~ the time of my decease be collected with all benevolent dispatch

Item 2<sup>d</sup> I will and bequeath to my beloved wife Sarah Williamson during the Term of her natural Life such part of the improved Land and Orchards as will be sufficient for her Support the following Negroes, Larken patience Esther and her white patsy and one half of all my cattle horses hogs Sheep and Stock of Every description one half of my house hold and Kitchen furniture and farming utensils of Every description also half of all the grain and forage and Stock of provisions that I may leave at my death  
The distribution and allotment to be made by two good disinterested men one of whom to be chosen by my said wife Sarah and the other by my Daughter Minerva and if they cannot agree they are to choose an umpire

Item 3<sup>d</sup> I will and bequeath to my daughter Minerva Patton her heirs and assigns forever the plantation on which I now live and all other Real Estate which I possess in the County of Buncombe not herein after Specifically bequeathed Subject to the provisions herein before made for my wife Sarah

The following Negroes to wit Abscy and her husband Will Sully and Sam after the death of my wife and herther increase Patience and her child <sup>and other with their</sup> increase one half of my Stock of Every description house hold and Kitchen furniture farming utensils of Every kind and of all the grain forage and Stock of provisions that may be on hand at my decease Subject to the provisions herein before made for my wife Sarah and Should my daughter Minerva die without issue then the property hereby bequeathed to her to be divided amongst my daughters Rachel Posey Rebecca Kinzy Stacy Taylor and Melinda Henry and the heirs of their Bodies to be divided by three disinterested men

to be appointed by the County Court on the application of either of said Parties. Item 4<sup>th</sup> I will and bequeath to my daughter Malinda Henry and her heirs for ever one Negro woman named Lucy and all the children she now has or hereafter may have one Negro boy named Jim together with all the property theretofore put in possession of her deceased husband John Henry

Item 5<sup>th</sup> I will and bequeath to my daughter Stacy Taylor her heirs and assigns forever two Negro women Egg and Bett together with their increase Except Jim

Item 6<sup>th</sup> I will and bequeath to my Grandson Williamson Posey in Trust for my daughter Rachel Posey during the life of my said daughter Rachel all that part of a tract of land purchased by me from Benjamin Posey which lies on the South Side of Mud Creek one Negro girl named Sydney together with her increase in Trust as aforesaid reserving out of the Land hereby bequeathed to my wife Sarah and daughter Minerva the Right of hooking up a fish trap on Mud Creek to the said hindrance or obstruction from him the said Williamson Posey or any other person At the death of my said daughter Rachel Posey the said Land to be and remain the sole property of him the said Williamson Posey and the heirs of his body forever free from any incumbrance what ever and also at the death of my said daughter Rachel I will and bequeath the said Negro girl Sydney to the said Williamson Posey and the heirs of his body forever

Item 7<sup>th</sup> I will and bequeath to my Grandson Williamson Kinzey in Trust for my daughter Rebecca Kinzey four tracts of Land on the waters of Mud Creek one Tract containing fifty acres granted to Daniel Salaman one Tract containing one hundred Acres more or less granted to Samuel Murray and one Tract containing one hundred acres more or less granted to Samuel Murray one Tract purchased by me from John Wyatt supposed to contain one hundred and thirty Acres also one other Tract of Land Leased by me to John Bass during his natural Life should he think proper to buy on the same supposed to contain one hundred Acres or upwards purchased by me from Basil B. Edmonston after the Expiration of said Lease also after the death of my wife Sarah the Negro woman Esther and her child the above property to be held by my Grandson Williamson Kinzey in Trust for the sole use and benefit of my daughter Rebecca Kinzey during her natural Life and at her death the above Lands to be and remain the property of said Williamson Kinzey and the heirs of his body forever and the said Negro woman Esther and her child or their proceeds to be Equally divided between my three Grandsons Williamson Kinzey Gardner Kinzey and Humphrey Kinzey their heirs and assigns for ever

*Elisha Williamson Will Concluded*  
 Item the 6<sup>th</sup>. I will and bequeath to my two Grandsons  
 Benjamin Posey and Erwin Posey Two Cows and their  
 increase now in possession of Benjamin Posey Sen  
 I hereby nominate and appoint Joshua Roberts and  
 Fidelity Patton Executors of this my Last Will and Testament  
 hereby Revoking all former wills by me Made  
 Signed Sealed and published in presence of us the 15<sup>th</sup> of February 1837

Jas. McSmith  
 M. B. Patton Secut

Elisha<sup>his</sup> Williamson (Seal)  
 mark

Executors Shown in open Court October 18<sup>th</sup> 1837

North Carolina County Court October Session 1837  
 Buncombe County) The foregoing will was duly proven  
 in open Court by the oath of M. B. Patton one of the  
 Subscribing Witnesses thereto and ordered to be Recorded

Harrison C. H.