

Will Locket Sept 1863

Know all men by these presents that I J. T. Weaver of the County of Buncombe & State of North Carolina and now an officer in the service of the Confederate States of America, Being of sound mind and memory, do now proceed to make the following disposition of what goods and property, I think Providence has permitted me to have the legal right to acquire

I will that my wife Hester Ann, have control of all my property both real and personal during her widowhood or until my oldest son Rufus arrives at the age of majority, At which period I will that all my property that may be left after raising and educating my heirs Rufus, Billy, brother, and Ellen Caroline, be divided into four equal parts by three competent men appointed by the County Court of Buncombe, and assigned respectively (one part each) to my wife and my three heirs (viz Rufus, Billy, brother, & Ellen Caroline, But in the event that my wife Hester Ann, marries again then I will that my perishable property be at once sold by my Executors at public Auction on a credit of twelve months with interest from date and that my Negroes be hired, and my lands rented annually to the highest Bidder in Cash and that the proceeds be as often divided into four equal parts and given at once to my wife Hester Ann, and to the guardian of my three heirs Rufus, Billy brother & Ellen, said guardian to be appointed immediately on the marriage of my wife Hester Ann, and that said guardian be other than the future husband of my wife, and the monies be put on interest or otherwise appropriated for the benefit of my said heirs above named. And that the said hiring and renting of my land and Negroes shall continue until my son Rufus shall arrive at the age of twenty one years, when the division of my property as aforesaid may take place

In any case I wish my children to be as thoroughly educated as my means will allow, In the event that either of my heirs above mentioned die without issue that the portion or portions of such be given to the surviving ones

I will that my Rifle guns that I captured from our Enemies at the Battle of Murfreesborough and that I have given respectively to my two sons Rufus & Billy brother, be kept by them as long as they live as an heirloom, and as oft as they look upon them, they may remember the hard fought contest for freedom And thereby remember that it is my injunction to be ever vigilant in guarding the same, and that they hand them down to future generations as a family relic In the event that my wife Hester Ann remains a widow, I then will and advise that if there be any of the Negroes that she desires to hire, that through the advice of my Executors she be allowed to do so

I will that my well tried friend R. A. Coleman & my brother John T. Weaver be the Executors of this my last will and Testament In testimony whereof I have hereunto set my hand and affixed my seal this the 21st day of April A.D. 1863

Signed sealed and declared to be the last will & Testament

of J. T. Weaver the testator in presence of

Jacob Weaver
& Virginia R. Trotter

J. T. Weaver (Seal)

Done in open court by the oath of said J. T. Weaver one of the subscribers

Buncombe Co. NC Wills 1834 to 1868 J. T. Weaver (Seal)