

Will of Carolina V. Truer.

April 5th 1853

I give every thing I have to my daughter & her heirs, for her own personal use, her husband is not to have any control of it whatever.

Carolina V. Truer

E. L. Carmichael

M. E. Hilliard

State of North Carolina. } ss. In the Probate Court.
Buncombe County.

A paper purporting to be the last Will and Testament is exhibited before me, the undersigned, Judge of Probate for said County, by Carrie H. Truer, and the due execution thereof by the oath and examination of Elizabeth L. Carmichael and Margaret E. Hilliard the subscribing witnesses thereto, who, being duly sworn, doth depose and say, and each for herself depose and saith, that she is a subscribing witness to the paper writing now shown her purporting to be the last will and testament of Carolina V. Truer, in the presence of their deponent, subscribed her name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the fifth day of April 1853.

And the deponent further saith, that the said Carolina V. Truer the testatrix aforesaid, did, at the time of subscribing her name as aforesaid, declare the said paper writing so subscribed by her and exhibited to be her last Will and Testament, and their deponent did then and there subscribe her name at the end of said Will as an attesting witness thereto, and at the request and in the presence of the said testatrix. And their deponent further saith, that at the said time when the said testatrix subscribed her name to the said last Will as aforesaid, and at the time of deponent subscribing her name as an attesting witness thereto, as aforesaid, the said Carolina V. Truer, was of sound mind and memory, of full age & capable of acting, and was not under any restraint to the knowledge, information or belief of the deponent, and further than deponent says, she

sumed and subscribed the third day of August 1852 before me. E. L. Humdon Probate Judge.

Margaret E. Hilliard
Elizabeth L. Carmichael

Buncombe Co., NC Wills, Bk B, 1868-1899

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Will of Ellen Patience Marcella Murray.

II That the property of the said testatrix consists of a farm situated on Heming Creek in the said County of Buncombe & of notes & debts & personal property amounting in value to about four thousand dollars, as near as affiant has been able to ascertain.

III That the parties entitled to the said property of the said testatrix as legatees of her said will are as follows, to-wit: the said affiant N. W. Jones of the City of Washington in the D. C., Mrs E. E. Osborne of the State of Texas, Mrs Martha Page of Cook County, Tenn, the heirs of A. D. Jones deceased (whose names & residences are to affiant unknown), the heirs of N. W. Jones, died, David Lechar Jones & Anna Ounby of the said County of Buncombe, Mary Hasberry of the State of Texas & Hannie Jones & Sallie Jones of the County of Transylvania in the said State of North Carolina, the heirs of Mrs Adeline Hawkins, deceased, to-wit: Ellen Deland, Joseph Hawkins, Benjamin Hawkins, John Hawkins, Harvey Hawkins, Adeline Hawkins & William Hawkins & Mrs Adeline Thrash, Mrs. M. G. Parker, the trustees of Sardis Methodist Church, the Agent of the Publishing House of the Methodist Episcopal Church South, the Woman's Missionary Society of the Methodist Church South, one Ellen Daniel & A. H. Brown each of the said County of Buncombe.

Subscribed and sworn to before me this 2nd day of August 1852.
E. L. Humdon
Probate Judge.

State of North Carolina } ss. In the Probate Court.
Buncombe County.

A paper purporting to be the last Will and Testament of Patience Marcella Murray deceased is exhibited before me the undersigned, Judge of Probate for said County, by N. W. Jones one of the Executors therein named, and the due execution thereof by the said Patience Marcella Murray by the oath and examination of Geo. A. Shuford, A. Davis & A. H. Brown the subscribing witnesses thereto, who being duly sworn doth depose and say and each for himself depose and saith that he is a subscribing witness to the paper writing now shown him, purporting to be the last Will and Testament of Patience Marcella Murray, that

The said Patience Marcella Murray in the presence of this defendant subscribed her name at the end of said paper writing, which is now shown as aforesaid, and which bears date of the 15th day of July 1852.

And the Defendant further saith, That the said Patience Marcella Murray the testatrix aforesaid did at the time of subscribing her name as aforesaid, declare the said paper writing so subscribed by her as exhibited to be her last Will and Testament, and this defendant did thereupon subscribe his name to the end of said Will as an attesting witness thereto, and at the request and in the presence of the said testatrix. And this defendant further saith that at the time of the defendant's subscribing his name as an attesting witness thereto, as aforesaid, the said Patience Marcella Murray was of sound mind and memory, of full age & capable to execute a Will and was not under any restraint or the knowledge, information or belief of this defendant. And further these defendants say not.

Personally sworn and subscribed this 2^d day of Sept. 1852 before me } Geo. A. Shuford Clerk
 E. M. Henderson } Attorney at Law
 Probate Judge. } A. H. Bryson Clerk

State of North Carolina } ss. In the Probate Court.
 Buncombe County.

A paper purporting to be a codicil to the last Will and Testament of Patience Marcella Murray deceased, is exhibited before me, the undersigned, Judge of Probate for said County by the Hon. J. N. Jones, one of the Executors therein mentioned, and the due execution thereof by the said Patience Marcella Murray by the oath and examination of Geo. A. Shuford & A. H. Bryson the subscribing witnesses thereto, who being duly sworn, do the deposed say, and each for himself depose and saith, that he is a subscribing witness to the paper writing now shown him, purporting to be a codicil to the last Will and Testament of Patience Marcella Murray, that the said Patience Marcella Murray in the presence of this defendant subscribed her name at the end of said paper writing as aforesaid, and which bears date of the 15th day of July 1852.

day of July 1852. And the defendant further saith, That the said Patience Marcella Murray, the testatrix aforesaid, did at the time of subscribing her name as aforesaid declare the said paper writing so subscribed by her as exhibited to be her codicil to her last Will and Testament and this defendant did thereupon subscribe his name to the end of said Will as an attesting witness thereto, and at the request and in the presence of the said testatrix.

And this defendant further saith that at the said time when the said testatrix subscribed her name to the said codicil as aforesaid, and at the time of the defendant's subscribing his name as an attesting witness thereto, as aforesaid, the said Patience Marcella Murray was of sound mind and memory, of full age & capable to execute a Will, and was not under any restraint or the knowledge, information or belief of this defendant. And further these defendants say not.

Personally sworn and subscribed this 2^d day of Aug 1852 before me } Geo. A. Shuford Clerk
 E. M. Henderson } A. H. Bryson Clerk
 Probate Judge. }

State of North Carolina } In the Superior Court
 Buncombe County } Before the Clerk
 In the matter of the last will and Testament of }
 of Patience Marcella Murray. } Order

It appearing to the Clerk of this Court from the inspection of the records of this office in the above foregoing that a paper writing dated July 15 1852, purporting to be the last will and Testament of Patience Marcella Murray and a paper writing dated July 16 1852 purporting to be a codicil to said original will were on the 2^d day of August 1852, duly presented before E. M. Henderson Clerk of the Superior Court of said County by the oath and examination of Geo. A. Shuford & A. H. Bryson subscribing witnesses to said original will and said codicil thereto, as and for the last will and Testament of said Patience Marcella Murray, and it appearing to the Court that said will and codicil with the names of said witnesses in writing taken on said 2^d day of August 1852, have been duly filed and recorded in the Record of Wills of this office and are now on file herein and that the executor in said will named has been duly qualified as such, but that the order or judgment of the Court adjudging said paper writings to be the last will and Testament of said Patience Marcella Murray and directing the same and said examinations to be filed and recorded in this office if any were ever made, has not been recorded in this office and cannot now be found. It is therefore considered and adjudged by the Court that said paper writings and every part thereof are the last will and Testament of said Patience Marcella Murray deceased, and the recording of said paper writings with said examinations of said witnesses be and the same be hereby in all things approved and confirmed and said paper writings, examinations and this order are hereby directed to be filed and this order be recorded in this office.

Buncombe Co. NC Wills, Bk B, 1868-1899

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J. K. Starnes
 Clerk Superior Court

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First:

concl.

It is further my will that said property be left
together on my farm until said time and
that my executor have the power to sell said

Baincombe Co.

Fourth:

I will desire and intend that my executor
hereinafter named, immediately after my
death take charge of and collect as soon
as practicable the following notes due me
to-wit: one note on Lookin Rivers for thirteen
dollars, dated July 10, 1882 and due one day
after date, two notes on Robt. Seabury, one for
four hundred dollars, dated March 10, 1872
and due three years after date, and one for
three hundred and thirty-five dollars with
credits thereon dated March 10th 1872 & due two
years from date; one note on H. A. Alexander
for nineteen ³/₁₀₀ dollars, dated Jan'y 20, 1879 and
due one day after date, one note on H. C. Jones &
C. M. Rich for One Hundred & thirty-four ²⁵/₁₀₀ dollars
less credits thereon dated Sept 25th 1878 and due
one day after date; one note on Ashbury Davis
for One Hundred and fifty dollars dated Apr^{il}
10th 1882 and due two years after date; one note
on W. Ballard for twenty dollars, dated May
20th 1882 & due 15th Apr. 1882; one note on E. A.
Jones for Twenty-five less credits, dated Jan'y
15th 1879 & due one day after date; one note
on Solomon Luther for two hundred dollars
dated Dec 10th 1881, & due one day after date
one note on J. T. Negate for two hundred
dollars dated Dec 8th 1881 and due one day
after date, one note on J. C. Jones for Two
Hundred and thirty-two dollars, dated Jan'y 20th 1880
and due one day after date; one note on H. H.

Expense for Laundry dollars dated Feb 18th 1882,
and one day after date, one note on J. P.
Laurin for Eight Dollars, dated assigned to
me by C. D. Hooley, two notes on J. M. Bigham, one
for One Hundred & thirty four dollars, less credits
dated March 1st 1877 and due two years from
date, and one for One Hundred & thirty three
dollars dated March 1st 1882 and due three
years from date, one note on J. M. Bigham
for One Hundred & thirty three Dollars
dated Jan'y 18th 1877 and due one day after
date, one note on A. B. Levenson for Eight
Dollars less credits dated Oct. 1st 1875 and due
Dec 30th 1876, & a small amount on a note of
W. H. Hall, secured by E. E. Johnston & A. J. Murray
for which I hold J. J. Williams receipt, and I
also will & direct that my executors select any
other debts which they may ascertain to be due
me; Provided that it is my will and desire
that said parties above named shall have
reasonable time to pay, said notes in cash
when they are now due, not to exceed twelve
months, except that it is my will that Robt
Dorsey have two years to pay the notes against
which provided in deeds & long indulged.
And I further will and direct that my
executors apply the money received on said
note to the payment of any debt & funeral
expenses, since the legacies & annuities herein
made are contingent.

I desire will and direct that my executors
hereinafter named, as soon as practicable
after the 1st day of January 1888 (1883)
sell at public sale to the highest bidder, after
advertisement for at least one month, on a
credit of twelve & eighteen months - equal installments
all the real estate of which I am seized and
possessed, to wit: the farm on which I now
live, including my dwelling house & appurtenances, tracts
situated, the same being a tract of land conveyed
to my father Geo. H. Jones to my late husband
Robt. L. Murray of and registered in Book
Page 278 Register Office of Buncombe Co. N.C.

and devised to me by my said husband and
fully described in his last Will & Testament, said
tract of land containing two hundred acres
more or less & also a gone of land adjoining the
above tract & also C. C. Shuford's land & others, the
same being a gone of land devised to me by
my late husband Robt. L. Murray and described
in his last Will & Testament & I will and
direct that my executors take notes with
solvent security for the purchase money of
said land when the same shall be paid,
and that the title to said land be retained
until the purchase money is paid, and
on the payment of the purchase money thereof
it is my will that my executors execute
a proper deed of conveyance for the same. And
I further will and direct that my executors
receive the purchase money for said land when
the same shall be due & apply the same in payment
of the debts and legacies herein made and
provided bequeathed.

Item: I give and bequeath to T. L. Bird, J. T.
Coff, J. W. Pettit, Robt. Dorsey & Marion Glenn,
Trustees of Sardus Church and to their successors
in office, two hundred dollars to be paid
by my executors out of any moneys belonging
to my estate, after my debts & funeral expenses
other expenses hereinafter provided shall have
been paid - One hundred dollars of said sum
to be expended by said trustees in making repairs
on the said Sardus Church, and the remaining
One Hundred dollars to be turned over by them
to the building committee of the Parsonage
for the Sulphur Springs Circuit of the Methodist
Episcopal Church South to be expended by
said building committee for the use and
benefit of said Parsonage.

Item: I give and bequeath to the agent of the Publishing
Board of the Methodist Episcopal Church
South to his successors in office, One
Hundred Dollars to be paid by my ex-
ecutors in the same manner as the last
sum to be used and controlled by said

But for the use and benefit of said Publishing House under the direction of the General Conference of the Methodist Episcopal Church South.

Item: I give and bequeath to each of my brothers and sisters who are living, and to the children of each of my brother & sisters who are dead, equally to be divided among said children, an amount equal to the sum realized by each of the brother & sisters of my late husband Robt A Munnay from his estate, and I will and direct the same to be paid by my executors out of any funds of my estate after the payment of the preceding bequests not herein otherwise disposed of.

Item: I will and bequeath all my wearing apparel and beds and bed-clothing to my son-in-law, sister & sister-in-law, and to the daughter of deceased sister, Arlene Harshbarger, to be divided equally among them according to value, the daughter of my deceased sister to receive only the mother's share or a part equal with one of my living sister.

Item: I will and bequeath my trunks to my sister-in-law, Mrs. C. C. Sanford to be possessed by her at my death.

Item: I will & bequeath my family silver to my nephews & nieces, Robt Henry and wife Anne, to be possessed by them at my death.

Item: I will and direct that A. B. Briggs be reasonably remunerated by my executor for his time & services in attending on me during my sickness.

Item: If anything remains in the hands of my executor after paying the bequests hereinbefore made individually in amount to each of my brother & sisters and to the children of each of my deceased brother & sisters equal to the sum realized by each of the brother & sisters of my late husband Robt A Munnay from his estate, and after paying all debts

and charges of administration, and reasonable commissions and charges to my executor, it is my will that the same be paid by my executor to the Agent of the Publishing House of the Methodist Episcopal Church South, and to his successors in office to be used for foreign missionary purposes and to be applied by said Agent to the said object herein stated under the direction of the General Conference of the Methodist Episcopal Church South and the Woman's Missionary Society - the same being intended a contribution to said Society. And I further will and direct that my executor carry out the contract existing between A. B. Briggs and myself as near as possible.

And lastly I do hereby constitute and appoint my beloved brother A. B. Jones, and D. Daniel Ludge and Geo. A. Sanford my lawful executor to all matters and purposes to execute this my last will and Testament according to the true intent and meaning of the same and every part and word thereof, hereby making and declaring utterly void all other wills by me heretofore made.

In witness whereof, I the said Patience Munnay do hereunto set my hand and seal, this the 15th day of July A.D. 1882

Patience Munnay

Witness, sealed, published and declared by the said Patience Munnay to be her last will & Testament in the presence of us, who, at her request, do subscribe our names as witnesses thereof.

Subscribed above before signing.

Ashley Davis
A. B. Briggs
J. S. A. Williams
S. B. Alexander
Geo. A. Sanford

Thurcas, I Ratineo Marcela Murray, have made my last will and Testament in writing bearing date July 15th 1882 and have thereby made sundry devises and bequests, and whereas on further reflection I desire to make additional devises and bequests, I do now therefore by this my writing which I hereby declare to be a last will and Testament to be taken and construed as a last will, give and bequeath to my true and faithful friend Mrs M. C. Parker who has attended me during my sickness the sum of ten dollars to be paid by my Executors out of any money belonging to my estate, after my debts & funeral Expenses shall have been paid.

And I will and bequeath to Ellen Leavelle her and stand the same that is now in J. M. Bryson's and one and one eighths which have heretofore been promised her, and as I have no cars except in common with R. H. Bryson I will and devise that my Executors purchase from said Bryson with funds of my estate at a reasonable price his interest in one of the cars now owned in common by said R. H. Bryson & myself, the same when so purchased to be the property of the said Ellen Leavelle.

And whereas I own stock, bees, grain and other personal property in common with R. H. Bryson, I will and direct that before the sale of my personal property provided for in my said will, my Executors or the said R. H. Bryson when practicable is to do, make an equal division between my estate & said Bryson of all such property owned by us in common, and where such division is impracticable I will and direct that all my interest in such property so held in common be sold by my Executors as provided in my said will, and whereas I have twice and decided that the real estate of which I am seized and possessed be sold by

my executors, I now on reflection will and direct that the same be sold by my executors on the terms specified in said will, except that it is my will and desire that ten per cent of the purchase money be paid at the time of sale and the remainder in two equal installments in one and two years from date of the sale instead of twelve & eighteen months and that the same be secured by solvent security and the title remain until the purchase money is paid as provided in my said will. And it is further my will and desire that my executors sell said land described in my will in separate lots if they shall think it best for my estate so to do.

And whereas I have made and directed my pay to the Agent of the Publishing House of the Methodist Episcopal Church South out of my estate which may remain after payment of all other legacies and devises made by me in my said will to be used for Foreign Missionary purposes under the direction of the General Conference of the Methodist Episcopal Church South, and whereas said legacy was intended by me as a contribution to the Woman's Missionary Society of the M. E. Church South, I now will direct that my executors pay any such fund of my estate as may remain in their hands after payment of all other legacies & devises made by me in my said will & this codicil and the reasonable expenses, charge & compensation of my Executors, to Wm James Whitworth, Treasurer of the General Ex. Association of said Society and his successors in office to be used and applied by the Woman's Missionary Society of the M. E. Church South to the purposes of Foreign

In testimony whereof

I herewith set my hand and seal the
16th day of July 1882.
Patience Marcella Murray (Seal)

Signed Sealed published
and declared by the said
Patience Marcella Murray
to be a codicil or part of
her last will & testament
in presence of us, who at
her request and in her
presence and in the presence
of a relation to said said
Patience as witness thereto.

J. B. Bunker
A. B. Bunker
C. H. Bunker
D. B. Bunker
E. A. Bunker

I, David M. Ludger having been appointed by Mrs. Patience
Marcella Murray as one of the execution of her last
will and testament, hereby renounce my office as
executor aforesaid. This 2nd day of August 1882.
Gimmie M. M. David M. Ludger

I, Geo. A. Shuford, having been appointed by Mrs. Patience
Marcella Murray as one of the execution of her last
will & testament, hereby renounce my office as executor
aforesaid. This 1st day of August 1882.
Wm. H. H. Shuford Geo. A. Shuford

State of North Carolina } In the Probate Court.
Beaufort County

In the Matter of the Estate of
Patience Marcella Murray;

A. B. Bunker, making application
for the probate of the last will & testament of the said
Patience Marcella Murray & for letters testamentary
after being duly sworn, deposes & says:

I that he is named in the last will & testament of the
said Patience Marcella Murray as one of her execu-
tors is interested in her said estate as follows:
In her 297

I, M. M. Weaver, living of sound mind & good
memory, and knowing the uncertainty of human
life, do by these presents make & publish
this my last will and testament, viz; I will
bequeath unto my wife Jane E. Weaver, during her
natural life, all of my real estate known as, and in-
cluded in, the home tract where I now live, — except
all the land conveyed by deed unto my children, Mary
A. Reagan, Martha E. Vandiver, Margaret M.
Parker, Ed. Eliza J. Myers, — also, a tract of land lying
on the mountain, known as the Hanway Mountain tract,
which was conveyed to me N. Blackstock in the divide
of the Grey Blunt Speculation land. All of the above
mentioned land I have hereby willed and bequeathed
unto my wife Jane Weaver. I will and bequeath unto
my son, H. B. Weaver, to have and to hold in fee simple
after the death of my said wife Jane E. Weaver.

I further desire that H. B. Weaver and his mother
have all the proceeds, rents and profits of said lands
they making their own arrangements during her
life.

2d I will and bequeath unto my daughter, Mary
E. Reagan, the place known as the Bassett
place, containing one hundred and twenty
five acres more or less, with all the appurtenances
thereunto belonging. 3d. I will and bequeath unto
my daughter, Martha E. Vandiver, all that tract
of land known as the Chestnut Street place,
which was improved by Hask Jenkins, with
all things thereunto belonging.

4th. I will and bequeath unto my sons, John
B. and H. B. Weaver all of my interest in the
Mountain lands lying on the waters of Run
Run's Creek above the Potomac, extending to
head of said creek.

5th. I desire the mill tract sold to the
highest bidder, and the proceeds thereof given to
my wife Jane E. Weaver, for her own use & disposal.

6th. I will and bequeath all the Hanway
mountain tract that has before been conveyed
unto my two daughters Mary A. E. Reagan
& Vandiver to be equally divided or conveyed
to them.