

July Term 1864

This is the last Will and Testament of Myly M Jones of the County of Buncombe in the State of North Carolina, that is to say,

First, I direct my Executor and Executrix herein after named to pay all debts justly due and owing from me, secondly I direct that my wife shall live upon my home stead place and keep together my children and all my personal property of every kind whatsoever, including money, rights and ~~credits~~ to the end, that she may support herself and my children and educate my said children in a manner suitable to their condition in life, until my eldest son, to wit, Charles Bascom, shall attain the age of twenty one year and at any rate, in the event of the death of my said eldest son before he attains the age of twenty one year, then the said division of property as herein after provided for is to take place and be made, at the time when my said son would arrive at that age if he had survived so long, I have full confidence in the integrity and discretion of my Executor and Executrix herein after named, and I hereby vest in them the legal title to my home stead tract of land, until the time above indicated, and give them the legal title to all my personal property of every kind whatsoever, including rights and credits, to the end, they may cultivate said tract of land and said personal property and said rights and credits, with a view to the comfortable support of my said wife and children and the education of my said children, and in further aid of this purpose I hereby invest my said Executor and Executrix with full power to sell any portion of said personal property, or all of it and turn the same in to other property or cash, and to rent and receive any money or monies they from time to time have or collect for the purpose aforesaid and with the further view, to increase if possible my estate and enhance its value, until the time above indicated,

Thirdly: When my said Charles Bascom, shall attain the said age of twenty one year, or would attain that age, if he should survive so long, then at ^{and} that time, I direct that my home stead land (and by this expression in this Will I mean all the land I own on Hominy Creek and its water) shall be divided as nearly as may be into two equal parts, the division

to be made by two discreet free holders, to be appointed
 by my Executor Robert A. Murray, if he should then be
 living, and if not, then by the County Court of Buncombe
 County, and that part of my said homestead tract so to be
 divided in which my dwelling house and out buildings are
 situate - I direct to my beloved wife in full, and the
 other half of my - said land, I direct my Executor and
 Executors or the Survivors of them, to sell on a Credit or for
 Cash in their discretion, at public outcry after reasonable
 notice, and to execute all proper deeds and Conveyances
 to convey the title to said land, and if one of them
 should die, then the survivors to have full power to
 execute such deeds and Conveyances, and to divide the
 proceeds of said land equally among my Children,
 And I further direct my said Executor and Executors,
 at the time when said land is to be sold, to sell all
 the personal property, except the negroes herein
 after named, at public outcry - on a Credit or for
 Cash in their discretion, and to collect all debts
 that may then be due growing out of any instrument
 or reinstatement that may be made by them in possession.
 of the direction herein contained, and to make one
 fund of the whole of the proceeds of my personal property
 including rights and Credits, and divide the same
 equally among my said wife and my said Children,
 Finally; I give to my said wife my negro slaves and
 any Children or Children she may hereafter have
 and this bequest is to take effect absolutely and immediately
 on my death, and is to include any offspring said said
 may have before my death,
 Finally; I direct that the partnership business existing
 between myself and my Brother A. H. Jones, shall be
 closed up according to law, and my part of the net
 profits of the partnership business, whether the proceeds
 of realty or personally, pass into the hands of my Executor
 and Executors and be treated as part of my personal
 estate and directed as part and parcel of my the same.
 I intend, that my said wife shall support and educate
 my said Children not then of age, after said
 division of my said property, out of what I have given her
 in this my will until each shall attain the age
 of twenty one year respectively and successively provided
 she is not required to do so, if any one of my said
 Children should leave her by reason of marriage or for
 other reason, before she or she shall attain that age.

I deem it proper to state here, that my brother A. H. Jones has paid me, or shall his note for my part of the two houses in Hendersonville occupied by us and also, for my part of the tract of land on Mud Creek, which we cultivated jointly.

I appoint my friend and brother-in-law Robert A. Murray and my beloved wife Caroline L. Jones, the Executors and Executrix of this my last Will & Testament and hereby invest them with full power to execute all proper deeds of Conveyances & the Survivor of them so to do to effectuate the purposes herein set forth and ordered by me, I direct my Executor Robert A. Murray shall be paid a reasonable Compensation for his services rendered in this behalf.

I hereby revoke all former Wills and Codicils to Wills heretofore made and executed by me, In witness whereof, I have hereunto set my hand and seal, this 15th day of December A.D. 1863

Signed and sealed
in our presence

Wiley M. Jones (Seal)

and at the request of
the said Wiley M. Jones
We now attest the same
in his presence and in
the presence of each
other this 15th day of
Decr A.D. 1863

Charles Moore, (Jurat)
A. B. Jones, (Jurat)
A. S. Morrison,

For probate

Minute Docket
A. page 233.

County Clerk