

April Session 1846

The Last Will & Testament of William Davis, esq.

In the name of God amen I William Davis of the County of Buncombe and State of North Carolina being Sane & disposing mind and memory calling to mind The uncertainty of life do on this the Second day of March In the year of our Lord one thousand eight hundred and Forty six make and publish and declare My Last will and Testament in manner following that is to say

1st It is my will and desire that my beloved wife Eliza have the use and controll of my entire farm where I now containing one hundred acres during his natural life or widowhood In order to enable him to raise my four children and to Educate them as the proceeds of said farm may enable him to do

2ly Julia Catharine James Mitchel Margaret Susan and Martha Jane and in the event my wife should Marry a Gain or die before my son James Mitchel then in the entire Right and title of said hundred acres of Land to vest Exclusively In my said son James Mitchel clear and free from all claims whatsoever

3ly It is my will and desire that the entire right and title of all my stock of all description viz 1 horse least seven head of Sheep 10 head of hogs 4 head of cattle vest in my wife Eliza for the education and maintenance of my children and if in case stock should increase beyond what might be Required for the consumption of the family or the farm could Support then in that case I desire that such as may each year become fit for market it is to be sold and the proceeds of said to be applied to Education of my said children

4ly It is my will and desire that my Executors here in after named collect all debt due me and pay over on what Debts I shall I may be owing and if that should not be Sufficient to Extinguish them all then they will sell my Set of Smith Tools and my Military Equipage viz Coat hat and Swords and in the event this should not satisfy my Debts then I will that they sell my Saddle & gun & clock

5ly It is my will and desire that my beloved wife Eliza have all my house hold and kitchen furniture my farming Tools of every Description during his natural life or widowhood

The Last Will and Testament W^m Davis do^t Continuing

and if at his death then it to be Equally Divided between
My three daughters Julia Katharine Margaret Susan Martha Jane
I do hereby revoke all other wills and devise that this my
Last and only Will and I do hereby ordain constitute and
appoint John S Weaver Executor of this my last will and
Testament with the necessary power and authority for carrying
the same in to effect in writing whereof I the said William Davis
have this day 3th of March A.D. 1846 Subscribed my and here
unto set my Seal

Signed Sealed and Delivered in the
Presence of us day and date
above written

W^m. Davis (Seal)

Test W. R. Baird Justice
Jas Jacob Weaver Justice

State of N. Carolina Buncombe County Court of Pleas and Quarter
Buncombe County } Sessions April Term 1846

The foregoing Will was duly proven in open court by the
Oaths of W. R. Baird and Jacob Weaver Subscribing witnesses
thereunto and admitted of Record

The Last Will and Testament of Joel Ball do^t

Alex^r Henry clk

State of North Carolina

Buncombe County } August the 1st day 1846

Where as I Joel Ball of the state and county aforesaid and
Seised and possessed of a small freehold and other Personal
Property and having several small children I therefore give and
bequeath unto my wife Elizabeth all my land and personal
Property to sell and to Dispose of as she may think best to Educate
and maintain the children on and when the children be come
of age if there should be any of sd property remaining to Distribute
The sd property betwixt them as she thinks best it being my last will
and testament I have hereunto set my hand and Seal in the
Presence of

D. E. Freeman, Justice

Joel Ball (Seal)

George Dockery

Rubley Schoemaker

William Linn Justice

State of North Carolina } April Term A.D. 1846

Buncombe County

The foregoing Will was Duly Proven in
open court by oaths of D. E. Freeman and William Linn Subscribing
witnesses there to and was admitted of Record

Alex^r Henry clk