

Wm. C. Tate's

Wife. written by him
Sept 12th Jan'y 1869

Registered

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Burke Co. NC Wills 1793-1868
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\$3.10

In the name of God Amen, I W^m B. Tate of the County
of Burke and State of North Carolina being of sound mind
but knowing the uncertainty of life do make, publish and
declare this to be my last will and Testament in manner
and ^{form} following To wit, 1st I give and bequeath to my wife
L. A. Tate the lot on which I now reside with the use of all
the buildings together with all my household and kitchen
furniture during her natural life. I also will her all necessary
supplies from my farm such as wheat corn. Pork and firewood
It is my will that she be paid annually by my Executors one
hundred dollars out of my Estate during her life. If my
wife should not conclude to keep house but to rent out the
buildings the household and kitchen furniture may be sold
or divided equally between her and my three daughters. In case
my wife rents out the buildings the supplies from the farm
need not be furnished. Burke Co. NC Wills 1793-1968
www.northcarolinapioneers.com My wife that she receive all
the rents in addition to the annuity of one hundred dollars.

2nd I will and bequeath to my son Joseph W. Tate my house
and lot purchased of Mr. Courty. my bank house and lot and
the McHarrison Store house lot. also Five shares in the
western Extension A C R Road.

3rd I will and bequeath to my son Hugh W. Tate the House
and lot on which I now reside at the death of his mother
and as a compensation for the occupancy of the property during
her life. I will and bequeath to my son H. W. Tate all that
portion of my plantation lying East and on the right
of the public road leading from Morganton to the Rocky
ford. including the gold mine in the Spenserfield. also
Five shares in the western A C R Road.

4th I will and bequeath to my son Robt A. Tate one equal
half of my plantation Except the part will to my son H. W. Tate
I also will and bequeath to my son Robt A. Tate all my books
manuscripts and instruments. Saddle and saddle bags
also Five shares in western Extension A C R Road.

5th. I will and bequeath to my son J. Knox Tate one equal
half of my plantation - my watch and two shares of in the
Western Extension or C & N road

6th I will and bequeath to my daughter Emma M Tate one
third of my Policy in the Etna Life Insurance Company
one third of my County Bonds one third of all moneys
from the collection of my notes and accounts. Also
her bed and furniture

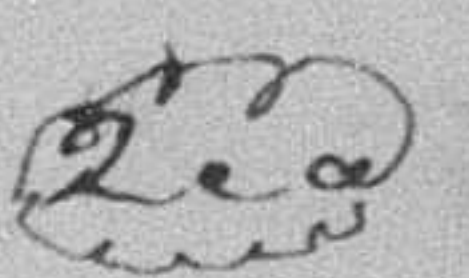
7th I will and bequeath to my daughter Katie E. Powe
one third of my policy in the Etna Life Insurance Company
one third of my County Bonds and one third of all
moneys from the collection of my notes and accounts

8. I will and bequeath to my daughter Laura B. Goring
one third of my policy in the Etna Life Insurance Company
one third of my County Bonds one third of all moneys
arising from the collection of my notes and accounts
Also one bed and furniture and all the Silver spoons
and her mother's Silver Saddle & my hair. I also give to
my daughter Laura my Piano

9th It is my will that my plantation remain in the possession
of my two sons Robt & Knox. and their heirs not subject to be
sold for any debts they may contract. and it is my will
that any one of my children who may be unfortunate
and have no home that they have the privilege of a home
on the farm, I constitute and appoint my son in law
Wm E. Powe and my son Robt A Tate Executors to this my
last will and Testament.

Given under my hand and seal this 12th
day of January 1869.
Morgan town N.C.

Appl. C. Tate



By way of codicil to the foregoing Will It is ^{my} wife and
desire that my mules waggons and farming implements
remain on the farm for the purpose of carrying on
the farm. Any surplus or surplus property may be sold
at the discretion of my Executors. It is also my wife
and desire all my just debts be paid.

State of North Carolina County of Beaufort
Beaufort County 3

William E. Pomeroy makes the oath, that the paper writing now presents to this Court for probate as the last will and testament of William C. Sate, by himself & Robert A. Sate, was delivered to him in person by the said William C. Sate, shortly after it was made, declaring it to be his last will and testament, and requesting that affiant to keep the same safely, until after his death and to have the same proven as his last will and testament, which said paper writing this affiant did take & keep in his possession until after the return of his Co-executor Robert A. Sate from Charleston, to whom he delivered the said paper writing, for safe keeping and which was found in his possession after the death of said William C. Sate and that the said paper writing is Burke Co. NC Wills 1793-1868 www.northcarolinapioneers.com that it was when delivered to him by William C. Sate, and that he is well acquainted with the hand writing, having often seen him write & that the whole & every part thereof is in his hand writing. Sworn to and subscribed *Appointed Power* before me this 30th Mar 1869. *Ed. Groves Judge of Probate*
Robert A. Sate makes, that he received the said paper writing purporting to be the will of William C. Sate, from his Co-executor William E. Pomeroy at the time and upon the circumstances stated by him and that he has kept the same in his possession and control from that time until the present and that said paper writing is in the same condition now, that it was when delivered to him by said William E. Pomeroy and that this affiant is well acquainted with the hand writing of his father W. C. Sate, having often seen him write and that said will corresponds and is identical to the same as in the proper hand writing of W. C. Sate. *Robert A. Sate.*
Sworn to and subscribed
before me this 30th Mar 1869. *Ed. Groves Judge of Probate*

State of North Carolina County of Probate

Such County 3-

We B. S. Gaither, Edward J. Ewin and William C. Ewin of the
Town of Morganton, make oath, that, we have examined the
paper writing now presented by Robt A Tate & Wm C Poore to this Court
for probate as the last will and testament of William C Tate, dated
on the 12. day of January 1869. and that they are acquainted
with the hand writing of the said William C Tate, having often
seen him write and hereby declare that the name of the said William
C Tate, subscribed to the said will and Codicil and the said will
itself and the Codicil endorsed thereon and every part thereof are
in the hand writing of the said William C Tate, and that
the said hand writing is generally known to the acquaintances
of the said William C Tate

sworn & subscribed to in open

Court This 30th March 1869.

B. S. Gaither

W. C. Ewin

E. J. Ewin

Sworn to and subscribed in
open Court -

J. D. Irwin
Judge of Probate

State of North Carolina

Burke County } Probate Court

To The Judge of the Probate Court of Burke County

The application of Robert A. Tate and Wm E Powe the two
Executors named in a certain paper writing, purporting to be
the last will and testament of William L Tate, of Morganton, to have
the same proven as his last will and testament. The applicants
respectfully show that the said William L Tate, died on the 11th day
of March 1869, having made and published the paper writing now
presented in Court for probate, as his last will and testament, and
in which he bequeathed and devised his whole Estate to wife
L. A. Tate, his children Joseph, Hugh, James, Robert & Emma Tate
Kathi E Powe & Lema O Young, all of whom are of full age,
that said Joseph, Hugh & James Tate reside in the State of Tennessee
Robert & Emma Tate & Kathi Powe in the County of Burke & Lema O
Young in the County of Mecklenburg - and that, at the instant
presented, the execution of said will & testament is ~~presented~~
~~and now for probate~~ that said William L Tate died seized of a
valuable real estate in Burke County consisting of houses & lots
in the Town of Morganton, and various tracts of land in the County
of Burke, supposed to be worth some twenty thousand dollars,
and possessed of personal estate, consisting principally in notes, bonds
and open accounts for money, supposed to be worth ten
thousand dollars, if collectable in the present state of the Country
That your applicants are appointed the Executors of said will
and testament and present the same for probate in this Court
subscribed sworn to in open Court

This 30th March 1869.

Subscribed and
Sworn to in open Court

Robert A. Tate
Wm E Powe

J. D. Lewis
Judge of Probate

State of North Carolina, } ss In the Probate Court.
Burke COUNTY.

vs. R. A. Tate & Wm. E. Paine do solemnly swear (or affirm)
that ^{we} believe this writing to be and contain the last Will and Testament of Dr. J. M. C.
Tate, deceased; and that ^{we} will well and truly execute the
same by first paying his debts and then his legacies, as far as the said estate shall extend, or the
law will charge me; and that ^{we} will well and faithfully execute the office of an executor, agreeable
to the trust and confidence reposed in ^{us}, and according to law; so help ^{us} God.

Sworn and subscribed before me, this 20th
day of March 1869
J. W. Levin
Probate Judge.

R. A. Tate
Wm. E. Paine

State of North Carolina
Burke County } Court of Probate

To The Judge of the Court of Probate for the County
of Burke. The application of L. A. Tate, widow of
W. L. Tate, sheweth to the Court, that, on the 30th day
of March 1869, a certain paper writing, purporting to
be the last will and testament of W. L. Tate, was
presented in this Court for probate, and was duly
read and received in this Court as his last
will and testament. The said L. A. Tate, widow as
aforesaid, by her attorney, Esq. P. E. Ewing, duly authorized
in writing, came into Court and disavowed for her
said husband's will and testament and declines to
renew the business and proceedings made for her as
said will and testament, and prays that her disavowal
may be made a matter of record in this
Court.

This 9th Sept 1869

L. A. Tate
By Geo. F. Ewing Atty

Power of
attorney

A power of attorney from L. A. Tate to George P. Currie
Currie is presented in open Court for probate and
the execution thereof is only proven by L. A. Tate in
subscribing certificates thereto. ordered that said power
of attorney be registered together with this order.

This 9th September 1869

Present from L. A. Tate, husband of the late W. L. Tate, appeared
in open Court, by his attorney, George P. Currie, and
disavowed from the will and testament of the said W. L.
Tate. hereupon admitted to probate in this Court
upon the 30th day of March 1869, and declined and
refused to accept of the provisions, and legacies
given him in said will and testament, in favor of
himself and his children share of his said estate
September 9th 1869

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