

December Session 1847

In the name of God Amen. I Cornelius Conner of the County of Cataula and State of North Carolina, being past eighty five of a sound mind, blessed be God, in this 6th day of May the thousand eight hundred and forty seven, make and ordain this my last Will and Testament as follows first, I will that all my Just debts be paid, and after my debts is paid, the balance of my estate whatever it may be, I leave for the support of my Wife Emily during her natural life and after her death for the support of three youngest daughters (to wit) Jane Maria and Eliza having their natural lives or single life and after their death or marriage the whole the whole of my estate that then remains to be equally divided amongst all my children legitimate. I do also leave my two and black friend William my Executor of this my last Will and Testament my Executor to see I have and make titles or transfer any other business as he may think best, in Witness Whereof I have hereunto set my hand and seal the day and year first a true Willam in the presence of

William Long

John Little

Cornelius Conner

In the name of God Amen. I John Sherrill of the County of Cataula and State of North Carolina do make this my last Will and Testament in the first place, it is my wish and I do direct that my Just debts be paid, after those are discharged, I then give and bequeath to my beloved Wife Nancy the whole of my property, lands, negroes, bonds and accounts, stock both of horses, cattle, pigs, and sheep, Waggon and team of all kind as also implements of Husbandry and tools - House hold and kitchen furniture of every description, with the crops that may be either gathered or growing at my decease with any and every other articles of property that I may be in possession of, or due to me at the time of death, to her her heirs and assigns for ever. I appoint my Wife Nancy executrix of this my last Will and Testament, and hereunto affix my name and seal this 4th October 1847.

Signed in presence of
David Vicidlaw
Hiram Sherrill

John Sherrill

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In the name of God Amen. I John Smith Sen. of the County of Cataula and State of North Carolina, being sound mind and memory, blessed be God, in this twenty fifth day of October in the year of our Lord the thousand eight hundred and forty five, make and publish this my last Will and Testament in manner and form following, that is to say, I then first, I give and bequeath my soul to God and my body to be buried decently by my heirs after named Executors, as to my worldly concerns it is my will that my funeral expenses be first paid out of my estate, and the remainder of estate to be distributed as follows. And second, I give and bequeath and devise to my beloved Wife Nathaniel Smith the Cataula where I now live for during her natural life time, also a black woman named Nancy, also a black boy named Andrew, during her natural life time and if in case the said negroes should not stay their mistress it is my will that my executors shall sell said negroes at public sale and the proceeds of said Nancy and Andrew or the money arising from them, shall be left and deposited in my executors hands to be equally divided among my legal heirs, also here be a of horses her choice, one plantation Waggon and one team both male and female, three cows and three her choice, and six head of hogs her choice three head of sheep, her choice and also a sufficiency of wheat and corn, pork, beef and coffee and sugar for one year, maintenance also three beds and bedsteads her choice, a corner cupboard and a furnace, one chest her choice, a wash pot her choice, all the iron pots her choice, one stool her choice, one table and six chairs her choice, also one Dutch oven and pan her choice, one plow her choice, one spinning wheel and cards, one loom and all the necessary goods belonging to it, and it is my will, that my wife Nathaniel, is to have fifty dollars first out of my estate to be paid to her by my executors as soon as collected, Now in case that after my death my wife should change her name, or should be married again, all the above named property shall fall back to my principal estate and to be sold to my executors, and to be equally divided between my legal heirs or in case my said Wife shall remain a widow in my name her natural life time, and after death the said property is to be sold by executors as a free estate.

Now third, I also give and bequeath unto my three youngest daughters fifty dollars each, namely, Sarah, Susanah and Maria to purchase said three youngest daughters, them with necessary equal with my other daughters, that has already received their necessities already that has left me, but now, if in case my three youngest daughters should

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be married off in my life time and be furnished as one of those who are furnished with their necessaries, or either of them it shall be considered that she or they have fully received in full of the fifty dollars to each of them first out of my estate. Item fourth, it is also my will, that the remainder of my property that is not already settled is to be at public sale by my executor, and the money arising from it to be equally divided between my legal heirs of which son David has received five hundred and dollars which is his land also, my son Frederick has received five hundred and fifty dollars, which is his land, also my daughter Mary has received three hundred dollars also in land, also my daughter Nathaniel's share has received thirty one dollars and seventy five cents money paid for property and left in his possession, also my daughter Sarah Smith and her husband has received twenty dollars money paid and loaned to them.

Item fifth, it is also my will, that my last son David's Testament and be here by attested, signed and disannul, all and every other former will and testament, legacies bequeaths and bequests by me in any way before this time named will, I and to be my last will and testament, in witness whereunto I have set my hand and affixed my my seal this day and year first a true written

Signed sealed published
procured by the said
Smith & his last will
and Testament in presence
of us the Subscribing Witnesses

William Heman
Moses Heman

John Smith

In the name of God Amen, I John Smith of the County of Calaveras & State of California being of sound mind and memory at this time first day of Dec 1847, make publish and declare this my last will & Testament in manner & form following, to wit, first I will & bequeath to my son Henry James Smith sixteen dollars & 17 cents the amount of a note of hand which it was held against him and it is further my will that he shall not be held accountable for the interest on said note.

Secondly I will & bequeath to my son David James my Walnut Orchard the content thereof & it is further my will that his note which it was held against him shall be remitted to him.

Thirdly I will and bequeath to my son Ephraim James the sum of a note of hand it was held against him with interest.

Fourthly I will and bequeath to Emma Miller daughter of David Miller, now one hundred and thirty one in her health it is my will that in case she should not recover that the same should be considered belonging to my estate.

5th I will & bequeath to my son's daughter Nathaniel Robert & Emma Miller all my other share to be equally divided among them it is further my will that all of my Wheat & Corn in hand shall be given to support the family of said Miller's in case they live and stay together but if they quit home keeping & have no need of it it shall belong to my estate it is also my will that the remainder of my property not disposing shall be sold & the money therefrom equally divided among all of my legal heirs it is further my will that my son Ephraim James be and I hereby appoint him executor of this my last will & Testament

Signed and sealed at my last will & Testament in the presence of
Eph. J. Heman &
Egan Heman

David J. James dead

In the name of God Amen, I John Heman of the State of North Carolina and County of Calaveras being weak in body yet of a sound & perfect disposing mind and memory I do make & publish this my will & Testament in manner & form following, first I give and bequeath with my wife Mary all my land & business & all the property I own & possess at this time real or personal during my natural life or widowhood excepting my money or bank or out standing in notes or other wise I give & bequeath with my two sons George Alexander Heman & William Luther Heman