

In the name of God amen. I, William B. Henry of Henderson County in the State of North Carolina being of sound mind and memory and knowing the uncertainty of life and the certainty of death and wishing to dispose of my estate in a manner somewhat different from the disposition thereof which would be made by the laws of the land in case I should die intestate do make and publish the following last will and testament — First I will that my just debts be paid and to this end charge all my estate not hereinafter specifically devised — hereby requesting my executor not to sell more property than may be necessary for that purpose — 2^d I bequeath one half of the land included in and belonging to the farm on which I now reside to my two daughters Charlotte and Sophia Eugenia. 3^d To my said daughter Charlotte I bequeath a negro girl named Nancy now about twenty two years old and a boy named John at this time about fifteen years old. 4th To my said daughter Sophia Eugenia I bequeath a negro girl named Emmanuelle now aged about thirteen years and a boy named Reuben now about two years old. 5th To my wife Attily D. Henry I bequeath the use of a negro boy named Charles so long as she lives or remains a widow and at her death or marriage I will that the property in Charles rest absolutely in my son Patrick.

6th I also will and bequeath to my son Patrick a negro boy named Green now about thirty seven years old and a girl named Margaret now about twelve years old. 7th I will and bequeath to my said son Patrick one half of the land included in and belonging to the farm whereon I now live such half to include the dwelling house and appurtenances thereunto belonging and I charge upon this land bequeathed to my son Patrick the maintenance and support of my wife Attily D. Henry during her natural life or widowhood and the above devise of said land to Patrick is made subject to said charge.

8th I desire that in dividing my land one half of the bottom land be given to Patrick as above charged and the other half to my two daughters. 9th As among the property not specifically devised is a negro boy Franklin whom it may become necessary to pay debts or for the purpose of division — I make the following direction to my executor respecting his sale: First have him appraised by three disinterested persons and allow Franklin to select his purchaser and if any one selected by Franklin will pay the price at which he shall have been thus appraised, then such selected person may become Franklin's purchaser at such price.

10th All my estate of whatever description not heretofore specifically devised and not necessary for the payment of my debts and for paying the expenses incident to the execution of this will, I will and bequeath to my said three children Charlotte Sophia Eugenia and Patrick share and share alike.

11th It is my wish that all my property not sold to pay debts &c may remain together on the home place and the use and profits arising therefrom appropriated to maintaining and supporting and educating my children till their majority and the support and maintenance of my wife Attily D. Henry till such majority if she live a widow so long; but each child must have its share as it becomes twenty one or if a girl marries.

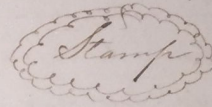
12th I appoint my friend Loander S. Gash of Transylvania County North Carolina, Executor of this Will.

In witness whereof I the said William B. Henry have hereunto set my hand and affixed my seal this 25th day of July A.D. 1863

The above last will and testament was by the said William B. Henry signed, sealed and published in our presence on the day and year last over written.

John McLean
Pleasant Whitmore

W. B. Henry 



State of North Carolina
Henderson County

Court of Pleas and Quarter Sessions
May Session 1868

A paper writing purporting to be the last will and testament of W. B. Henry deceased was brought into court for probate in common form - and the due execution thereof by the said W. B. Henry is proved by the oath and examination of John McLean one of the subscribing witnesses thereto. It is therefore considered by the court that the said paper writing and every part thereof is the last will and testament of the said W. B. Henry deceased.

L. S. Gash, the executor named therein appears in court and relinquishes and refuses to take upon himself the rights of executor, and it is ordered by the court that Arch Henry be appointed administrator with the said will annexed and upon his entering into bond in the sum of two thousand dollars - Joseph Henry and William Henry as securities - it is ordered that letters issue to him and the oaths are duly administered to him -

Wm. J. L. Gull 