

In the name of God Amen

(109)

I Thomas Murphy of the County of Jones & State of North Carolina being of sound mind, memory & understanding, do make my last Will & Testament in manner following viz —

Impremis It is my will & desire that my Executor sell at a credit of Twelve months the following property to enable him to pay my lawfull debts, that is to say — a lot of land situate on the south side of Broad Street in the Town of Newbern which I purchased of Levi Moore, also my negro man Jim & woman Rose, and I hereby authorize my said Executor to execute all such conveyances as may be necessary to give the purchaser of said lot & Slaves a good title —

Item I lend unto my wife Mary Murphy during the term of her natural life and no longer one third of the plantations & lands whereon I reside in Jones County. —

Item I give devise & bequeath unto my infant son Thomas Murphy and his heirs & assigns forever, the plantation & improvements where I reside with all the adjoining tracts subject to the devise to his mother in the preceding clause, and if my said son Thomas Murphy should die without leaving issue living at his death, then it is my will and I do devise my said plantation & improvements and the adjoining tracts mentioned in this clause of my will to my daughters who may survive him, and to the legal representatives of such of my daughters as may have died before the happening of said event.

Item I give devise & bequeath unto my son William Clark Murphy and his heirs & assigns forever, the tracts of land on Crum road & Caswell's branch in Craven County, consisting of several pieces & formerly the property of John Clark deceased, and if my said son William Clark Murphy should die without leaving issue living at his death, then I give said land mentioned in this clause to my daughters in fee simple (The children of any deceased daughter taking the share of their parent) —

Item I desire my Executor from the proceeds of the sale of my perishable estate, to purchase from the heirs of William T. Clark deceased, the undivided sixth part of said William T. Clark's real estate, the remaining five sixths having been heretofore purchased by me, and when my Executor shall have made said purchase I give devise & bequeath to my said son William Clark Murphy & his heirs and assigns forever, the sixth part so to be purchased in the lands in Craven County on Crum road & Caswell's branch, subject however to the limitation mentioned in the clause of this will immediately preceding this —

Item I give & devise unto my four daughters Frances or Fanny, Eliza, Caroline and Miranda and their heirs & assigns forever, the five sixth parts of the lands of William T. Clark deceased which lie on Trent road and in Jones County, and when my Executor shall have purchased the remaining sixth part of said lands, I give the same to my said daughters in fee simple & if either of ~~my~~ said daughters should die without leaving issue living at her death, I give & bequeath her share under this clause to the surviving sisters in fee simple —

Item After paying my lawfull debts, selling my crop, stock, and provisions & farming tools, and collecting such debts as may be due me and selling the lot & two Slaves set apart in this will to pay my debts, whatever balance may remain in my Executors hands from said

~~These~~
Sales collections of debts &c. as above mentioned, I give to be equally
divided between my wife & daughters —
Them. All the rest & residue of my estate including my Negro
Slaves, I give to my wife & all my children to be equally divided
between them each son or daughter to receive his or her share as they
respectively attain the age of Twenty one years or marry —
Them. I Appoint Durant Hatte Junior Esquire of Jones County Executor
and revoke all other wills heretofore made by me —

In testimony whereof I have hereunto set my hand and
seal this sixth day of December A.D. 1823. —

Signed sealed & published by the
testator as his last will in our presence
who in his presence & in the presence of
each other & at the request of said testator
have witnessed the same —
the words "the survivor of" in 2^d page being first added
& word "in" interlined in 3^d page

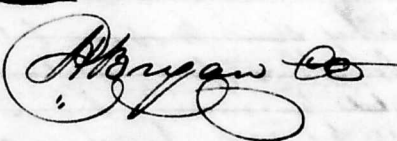
Thomas Murphy 

Stephen B. Barber

James Marrett

State of North Carolina } Court of Pleas & Quarter Sessions
Jones County } June Term 1823. —

Then was the above Will of Thomas Murphy dec. proved
in open Court by the oath of James Marrett one of the subscribing
witnesses thereto — at same time Durant Hatte Jr. the Executor
therein named qualified as such — agreeable to law — & letters of
Testamentary ordered to be issued to him —

Let. 

North Carolina

I Hardy Bryan Clerk of the Court of Pleas & Quarter
Sessions of Jones County do certify the above to be a true copy
from the original Will of Thomas Murphy dec. Carefully recorded
and compared —

