

John Coulter's Will

In the name of God Amen.

I John Coulter of the County of Lincoln, in the State of North Carolina; being in good health, and of sound and disposing mind and memory: Calling to mind the mortality of my body, do make this my last Will and Testament in the following manner and form

First. I give to my wife Elvira Coulter all the property she had when I married her Viz. Two Negro Girls & their increase, the one a yellow girl named Jane and her two children, Martha & George the other named Chary; Jane is about nineteen years old and Chary is about fifteen years old: her mare, saddle & bridle; also all my household and kitchen furniture, or so much thereof as she may choose to keep, and fifteen hundred dollars in Cash. I also give her during her natural life the plantation whereon I now live including that part of the Creasmore place which I had conveyed to my son Maxwell, and he reconveyed it to me. Also my Negro Man named Pryor, a good Road Wagon and harness, two good plows, an Iron toothed harrow, three good mending hoes, two shovels, two spades, two dung forks, one hay fork, all the rakes, two good falling axes, two Iron wedges, one mattock, one sprouting hoe, two head of horses or mules, her choice out of the stock, two cows & calves, ten head of sheep, two good breeding sows, and stock hogs sufficient for one year meat, and a sufficient supply of grain, forage, meat, salt, sugar and Coll. out of this

stock hogs sufficient for one year meat, and a sufficient supply of grain, forage, meat, salt, sugar and Coffee, out of the stock & crop on hand for one year support for her and her family: Also my carriage and harness for two horses, my threshing machine, windmill and straw cutter:— And it is further my will that if my said wife Elvira should wish at any time to discontinue house-keeping & farming on the plantation; then it shall be the duty of my Executors, to sell the plantation and all other property, that she may not wish to keep, which I have willed to her during her natural life and sell the same either publicly or privately to the best advantage and the proceeds thereof, to be put out on interest by my Executors, and the interest accruing therefrom to be paid over to her annually while she lives.

Secondly.— I give and bequeath to my son Henry R. Boulter children two hundred and thirty six dollars in addition to what I have heretofore given him in his lifetime, and charged to him in my book, amounting together to one thousand dollars.

Thirdly.— I give and bequeath to my son Solomon M. Boulter two hundred and seventy seven dollars, in addition to what I have charged to him in my book, making together one thousand dollars.

Fourthly.— To my son in law Maxmill Warlick & my daughter Catharine M. Warlick I have advanced to the amount of Eleven hundred & fifty two dollars & thirty five cents, which I have charged to them in my book; I will and bequeath to them the further sum of three hundred & forty seven dollars & sixty five cents, amounting

the sum of two thousand dollars. W. Boulton I have heretofore advanced
book: the reason I gave him more than either of his brother & sister
because he staid with me longer than either of them, and
whereas I held a note on him as Guardian of Lyman J. Harwood
amounting to six hundred and fifty six ⁷⁵/₁₀₀ dollars on the twelfth
day of January last, which was then cancelled, and I also gave him
my own note for thirteen hundred & forty three dollars & twenty five cents
bearing date 12th day of January A.D. 1856. and due one day after
date: for which note my said son W. W. Boulton gave me a Bill of Sale
for a negro woman named Harriet and her three children, Dickinson,
Reuben & Mary, which negroes are now in the possession of said W. W. Boulton.
It is my will therefore that if the aforesaid note of thirteen hundred
& forty three ⁷⁵/₁₀₀ dollars is cancelled without my having to pay it, and
the said W. W. Boulton shall account to my Executors for the amount of
the above Cancelled note of six hundred & fifty six ⁷⁵/₁₀₀ dollars
with legal interest thereon, at the settlement of my estate: then I will &
bequeath to him my said son W. Boulton the aforesaid negro woman
Harriet & her children, Dickinson, Reuben & Mary & their increase.
He is not to have any more of my Estate until a general distribution
is made amongst my children or their legal heirs.
Sixth. - I direct that all the Plank Road and Rail Road
that may belong to my Estate, together with all
both Real & Personal, not specially bequeathed.

that may belong to my Estate, together with all the balance of property both Real & personal, not Specially bequeathed, to be sold by my Executors, either privately or publicly to the best advantage on a reasonable Credit, and out of the proceeds thereof, all my just debts are to be paid, together with all the cash funds that may be on hands or belong to my Estate. All my just debts are to be paid: Also all the money that may be due any person for whom I am acting as agent or Guardian, and the special bequests or Legacies I have directed to be given to my wife & Children: And should there be an excess, then the same to be equally divided amongst my Children, or their legal heirs. My son Maxwell accounting to my Executors as above stated; he is then to come in for an equal share.

Seventhly.— At the death of my wife Elvira I direct my Executors to sell the land & other property I have given her during her natural life, if not previously sold as above specified, and the proceeds thereof, in either event to be equally divided amongst my Children or their legal heirs.

I hereby nominate and appoint my Brother E. P. Boulter and my son in law Maxwell Maclellan Executors to execute this my last Will & Testament: And they are hereby authorized and requested to employ such counsel as they may deem necessary to assist them in settling up my Estate.

I do hereby revoke, disannul and disallow all other and former Wills by me made or executed: and publish and declare

John Coulter's Will Continued

this to be my last Will and Testament.

In Testimony whereof I John Coulter have written the above in my own hand writing in the sixty eighth year of my age; And have hereunto set my hand & affixed my seal, the fifteenth day of February, in Year of our Lord one thousand eight hundred and fifty six.

Signed, sealed & acknowledged,

Published and declared,

in presence of

E. U. Ramsam

J. J. Ramsam

Wm S Ballard

John Coulter Seal

I John Coulter do hereby on the 31st day of July, in the Year of our Lord 1860, Add the following as a Codicil to the foregoing Will: Whereas I have purchased a lot of land joining my Homestead tract from E. U. Ramsam, joining Arch. Sumner's land, part of which I have sold to the said Sumner, the balance (about fifty one acres) I attach to the Homestead tract, and wish it considered as a part thereof. I have also purchased the John Hedick plantation also a tract of land lying in Catawba County containing eighty two acres, on the waters of Blacks Creek, joining Franklin Punch and

acres, on the water of Blacks Creek, joining Franklin Punct and others: Said tract of land, together with my undivided third part of 1468 acres lying on both sides of Jacobs River I direct to be sold by my Executors either publicly or privately on a Credit of one + two years, bearing Interest.

And whereas my son Maxwell W. Boulter has got a Bill of sale from me for the Negro woman Harriett and her children, and has given up the note he held on me; and I have charged him on my Book with the amount of the Ransom note together with a Doctors bill, making in all seven hundred + twenty one dollars over the two thousand dollar: he is not therefore to receive any more; until my daughter Catharine M. Warlick's children have received that amount (seven hundred + twenty one dollars) over the fifteen hundred dollar specially willed to them: And my son Henry W. Boulter children + my son Solomon Boulter have each received the same amount over + above one thousand dollar specially willed to them: should there be an excep, then he the said Maxwell is to have an equal share of said excep. And whereas I have given my bond to the Trustees of Catawba College for One thousand dollar, should the same not be discharged before my death I wish my Executors to pay the same as soon as practicable.

And whereas Eliza Jane Turner is bound to me by the County Court of Catawba + I have filed my bond in said Court for the faithful discharge of the indenture; I wish my wife Eliza to carry out said agreement, and further to do for her

John Boultin will

whichever she may think right and proper.

Signed and sealed the day & date above written

Witnessed

John Boultin Seal

in presence

J. J. Ramsour

W. H. Ramsour

February 2nd A.D. 1862. I John Boultin who executed the foregoing will and Codicill; do add this as a further Codicill thereto.

I will and bequeath to my young son John C. Warlick my John Warlick plantation: the lines thereof to be afterwards followed (in order) as a ditch more timber land thereto and take off some of the bottom land from the Dead Black Jack Corner (south of the Rock Quarry) to run thence with David Canipe line to a small branch, thence down said branch to where it intersects a large ditch running down through my homestead plantation; thence up said ditch to the the bridge; thence along the West edge of the bottom up to the corner of the Iron lot; thence to the stake, the beginning corner of the John Warlick plantation; Thence with William Ramsour; Philip Hoovers & David Hoovers lines to the aforesaid Dead Black Jack corner, to have and to hold to him the said John C. Warlick his heirs or assigns forever in fee simple: And it is further my will that my wife convey to him the said John C. Warlick (by bill of sale) one of Chancys sons or sons of Henry: provided he stays with her & manages & takes

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my homestead plantation; thence up said ditch to the bridge;
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lot; thence to the stake, the beginning corner of the John Warlick
plantation; Thence with William Ransom; Philip Hoovers & David
Hoovers lines to the aforesaid Dead Black Jack corner; to have and
hold to him the said John C. Warlick his heirs or assigns forever
in fee simple: And it is further my Will that my wife con-
vey to him the said John C. Warlick (by bill of sale) one of Chancy's son
Thomas or Henry: provided he stays with her & manages & takes
care of her and her farm. - He is not to have any share
out of that portion of my Estate that will belong to his
Mother's children

I hereby publish and declare this Codicill to be a part
of my last Will & Testament. and acknowledge

In presence of
T. J. Ransom
C. U. Ransom

J. H. Mrs. Coulter (Seal)