

April Term 1840

May 15th 1839.

In the name of God Amen, I William W Ward of the County of Martin and State of S. Carolina, being of sound mind and memory blessed by God for the same, but being weak and feeble in bodily health and knowing that it is once appointed for all men to die do make and declare this my last will and Testament in manner and form following viz. Firstly I give unto my son Christopher W Ward and negro boy by the name of Jim to him and his heirs forever also my Silver Spoons by the name of Dem to her and her Heirs forever also my Silver Spoons

2nd I give unto my son Francis W Ward and negro boy by the name of Fred one feather Bed and furniture or Thirty Dollars in Cash to be left at his choice on the day of my death also my Hat Box

3rd I give unto my Daughter Anna E Ward one negro girl by the name of Nancy and one feather Bed and furniture or Thirty dollars in Cash to be left at her choice on the day of my death also one set of Silver Tea Spoons

4th I give unto my daughter Harriet E P Ward one negro girl by the name of Abby and Bed and furniture or Thirty dollars in Cash to be left at her choice as before also one set of Silver Tea Spoons and if I should not have two sets of Tea Spoons at my death in my hand at my death shall I have given to my two daughters

It is my will for my Executor to buy them, — Should my children prefer the beds that I have given them, & the money, It is my will that my two daughters had my two feather Bedsteads & It is my desire that

my other Francis P. Ann E, and Harriet E P Ward divide all

of my Bed clothing equally between them —

It is my will and desire for all the balance of my property of every

description to be sold except one and a half acre which I reserved for a Family Burial ground also all the balance of my Negroes that I have not

already given away —

It is my will and desire that after paying all my just debts for all the balance

of my Estate to be equally divided between my Son Christopher W Ward, & Son E and Daughter E P Ward to be proportionately paid to them what they may or become of age —

It is my will and desire that my friend Samuel Williams take the

Guardianship of my children immediately after my death —

Lastly I nominate and appoint my two friends John Ryland and Edw

G. Hamm and my sole Executor to this my last will and Testament

working and other wills that I heretofore made —

In witness whereof I have hereunto set my hand and seal

Signed, sealed in the presence of

W. W. Ward Seal

April Term 1840

258

In addition to the above I give unto Camilla Collins wife of Tim. Collins Three hundred dollars in Cash or in good note to be paid her by my Executor to buy her a negro Girl

W. W. Ward & Seal

Signed & Sealed in presence of
Audrey, P. P. Ryland
John S. Howell

State of S. Carolina
Martin County Court April Term 1840

The foregoing paper writing purporting to be the last will and Testament of William W Ward was exhibited in open Court & pronounced valid & executed by the oath of Harry W D. Ward a subscribing witness, trustee, Deemed to be recorded —

Washington Estelle Hammard and of the Testator whose names appeared in open Court & qualified to the same,

Testy Ch. J. Peppys Esq.

In the name of God Amen January 5th 1840

I James Hamilton being weak in body but of perfect mind and memory do make and ordain this my last will and Testament as I have pleased God to bestow me in this world goods I do give and dispose of all in the following manner that is to say

I do desire that my wife Eliza Hampton should have a sum of

support out of my property and she did make provision for by my

Testator

After I have sent my daughter Polly Whitley all the Land

that I bought of John Whitley when they lived during his life time

and at her death to Polly Whitley and her heirs forever

From I do desire that the house and plantation which I now live

should be a home for my daughter Eliza Hamilton as long as she

lives single or lives with her mother for them both live together and

if she should marry then she shall be entitled to fifty acres there

she shall be to take it except the house which I do live in for her should

die without her then the Land turn back to those living in the same

then I give to my daughter Nancy Lee the Land that lies joining

the Land that John Ryland owned when she died with W G Ryland

her heirs her heirs and at her death to her son Franklin Ryland

and his heirs forever

Item at the death of my wife Nancy Hamilton and Nancy Marrian

the tract of Land which I now hold with all the appurtenances

thereof I give to the following man and that is today to Lewis

April 20th 1840

P. H. Hamlin, John R. Garrison and the two sons of Wm. D. Bailey,
that is William Laramie Bailey and Warren D. Bailey to be divided does
these parts to them and their heirs forever.
I give to my daughter Eliza Garrison my negro girl Servt to
be her dally & lifetime & at her death to her Grand children to be
by a partition till death then to turn back to her Brothers & Sisters
& it is my desire that Charles with the other three Children at Nancy
Baileys death or when the heirs therefor may divide them in equal
shares not to be sold at publice vendue and Polly Whiting part of her
debt to Henry Whiting and not to be sold to pay Polly Whiting debts
nor to be sold to pay over to Nancy Baileys part of her during his life time
and at his death to Warren D. Bailey their son that is to Franklin
William and Warren Bailey to them and their heirs forever —
also my two sons Dan. R. Garrison Tom. R. Garrison hereinafter
shall with the two girls also my Blacksmith tools between my two
sons also my Negro Slave to stay on the plantation for the rest of the
plantation & Sons &
all the widow of Henry that I have mentioned & I had for the family
was only such as thoughts of me the the family used to be used and at
the death of Nancy Garrison my wife all my property was divided
equally after taking out the money I paid for Polly Baileys when her
widow laid out the money of Polly Whiting & me —
In witness whereof all and ever other wills but this the 6 day of
January 1840.

I do affix my two sons A. R. Garrison & John R. Garrison to this
written to this my Last will & Testament

Signed Sealed Acknowledged

in the presence of us

John R. Garrison

Eliza Garrison

Also I give my daughter Eliza Garrison and feather bed and
furniture —

It is my desire that the land that I bought at W. D. Bailey and
belong to Frankland Bailey

I do desire that my Law Book Dan to have and John the other
and they may do for other if they please —

My will is that my Executor take my Cash to maintain them after
my death and if she dies before the the money is expended then it be
equally divided between my heirs —

State of N. Carolina
Martin County Court April 20th 1840
The foregoing paper writing purporting to be the last will

April 20th 1840

and Testament of James Garrison deceased was produced in open Court & proved
as herefrom by Law of the state of North Carolina a Subscribing witness thereunto
for which to his written
Whereupon James R. Garrison & John R. Garrison the Testators
named appeared in open Court & qualified to the same —

Chas. W. S. Pease Esq.

State of N. Carolina & Superior Court of Law
Martin County

So it is remembered that Joseph R. Gray Esq. of
Henry County did bring suit in this Court by an Affidavit in the County
Court a suit in Henry County & others with probate of Chas. Garrison
last will & Testament and the following words to wit —

State of N. Carolina & Martin County —
Court of Pleas and Quarter Sessions
Joseph R. Gray Esq. of Henry County

Henry Gray & wife et al

Proceeds from the Sheriff to
the County Court of 1839 in Affidavit
dated at April Term 1839.
Bonds & Dated for Petition
& Petition & Order for Sheriff

At April Term 1839 the following evidence was made on this cause.
In compliance with a process underwriting from the Sheriff
Court of Martin County to the County Clerk, and Quarter Sessions
of Martin County a paper writing purporting to be the last will and
Testament of Chas. Garrison for the papers of personal property
was brought into Court & offered for probate by Joseph R. Gray
Esq. of Henry County and his wife Elizabeth Ward
Sister Benjamin & wife, Dennis Ward, his wife Elizabeth Ward
Adam Hyman & Agatha Hyman, Thomas Hyman, Edmeyer
Hyman & Sabrina M. Hyman came into Court claiming a
testimony of said Chas. Garrison intended a Cauant to said paper
writing & prayed that an issue be made up to try whether said
paper contained the last will and Testament of said Chas.
Whereupon the Court directed that before making up said issue, make
upward to the most of him of Chas. Garrison, and all other outstanding
interest or general to the estate of said Chas. to see proceedings
& the said paper writing found in solemn form —