

Henry Chaney's Will & Testament

State of North Carolina Union County -

I Henry Chaney in the name of God asmen as it is appointed once for all men to die and being weak in body but sound and perfect in mind and from dust I come and to dust I return giving myself to God who giveth and who is able to take away to dispose of all according to his own will, Therefore I do hereby make constitute and publish this my last Will and Testament -

Item 1st I Will that my body after ^{my} death be buried in a decent and a Christian manner -

Item 2 I give and bequeath unto my beloved wife Hiziab Chaney the tract of land on which I now live except a small part between five and ten acres on the South side of the Creek during her natural life, adjoining the Arch tract where Allen Chaney now lives -

Item 3rd I give and bequeath unto my wife Hiziab Chaney & my Daughter Emeline one year provisions out of my personal Estate -

Item 4th I give and bequeath unto my wife Hiziab Chaney fifty dollars to be paid out of my Estate by ^{my} Executors to buy her a Horse two headstubs & furniture, Whet & carb, side Saddle & bridle, one cow & calf one yearling one sow & pigs five head Sheep, all the geese & Poultry, one pot. wain Table half dozen chairs set cups, ^{& Dishes} Pot. Cook. set plates tub & Churn set. knives and forks and two wools. pairs -

Item 5th I give and bequeath unto my son Allen Chaney the tract of

Table half dozen chairs set cups, Pot. Buck. set. plates tub & Churn set. knives and forks, and live-waters. pots -

Item 5th I give and bequeath unto my son Allen Cheney the tract of land known as the Stick tract on which he now lives with the additional space left of the same tract subject to be valued by three commissioners appointed by the County Court of said County -

Item 6th I give and bequeath unto Allen Cheney one small lot five acres of land to be laid off round the house he has built adjoining the Town of Mendon to be valued as aforesaid -

Item 7th I Give and bequeath unto my son Abner M. Cheney a part of the Stick Hilling tract of land including the House to be laid off to him and valued as aforesaid also a lot of four acres to be laid off to him adjoining the Town of Mendon on the road passing Grier's Store and on the North Side of said road (Towards Stiles) -

Item 8th I Give and bequeath to Abner M. Cheney. Saw Hogg two killing hogs, one Cow & calf, one yearling, one bedstead & furniture one saddle one even spot, five head sheep, one table & half dozen chairs -

Item 9th I Give and bequeath unto my Daughter Emeline Cheney a part of the Stick ~~Hillings~~ tract of land adjoining the Town of Mendon lying North East of the Town of Mendon, to be ^{laid off} ~~valued~~ by said commissioners and valued as aforesaid -

Item 10th I Give and bequeath to my Daughter Emeline Cheney
fifty

Henry Chaney's Will Continued

fifty dollars to be paid to them by my Executors to by her a horse with also two bedsteads & there furniture her Saddle & bridle. One & half one yearling one Oven pot & pot rack one table half dozen chairs one Saw & spig and two killing bags five head sheep. Whisk & Carps one set of cups & saucers, Set knives & forks, half dozen plates wash tub and churn and two water pails -

Item 11th I Give and bequeath the growing crop of wheat to Elizabeth Chaney, Allen Chaney, Milton M Chaney and Lemuel Chaney to be equally amongst them after they equally secure it at harvest after such part as may be laid of for the poor provisions -

Item 12th It is my direction in this my last will and Testament that Commissioners be appointed by the Court together with the County Surveyor to lay of and divide the land amongst my three children with due regard to each ones interest -

Item 13th I Will that said Commissioners after the land is divided as directed be Valued and ^{made} equal one with the other by the most Valuable tract paying back to the inferior in Value -

Item 14th I Will that a certain portion of the Jack Helling tract of land be sold by my Executors Beginning at the lower end of the North quarry running to the nearest corner of the Half Ailed then down the Edge of the Cleared land to the head of the Creek then down the various courses of the Creek Crossing the great road

of the said. gradually running to the nearest corner of the Half
field then down the Edge of the Cloud land to the head of the Creek.
then down the various courses of the Creek. Crossing the great road
to the first hollow above the brick yard thence up the hollow
to the Town line and the proceeds to be applied to the purchase of
a young Negro boy upwards of twelve years old, and if any want in
the sale of said land to pay in full for said Negro it must be paid
out of my personal Estate or out of the money arising in the division
- on of the lands amongst my three children.

Item 15th I Will that all my residue of property not herein-
willed shall be sold and the money arising from the sale to be
equally divided if any amongst my heirs at law after said Negro
is bought & paid for.

Item 16 I Will that my Executors buy a Negro boy as a bond for
the use and benefit of my wife Elizabeth Chaney during her natural
life and pay for it out of my Estate. Then after her death to be sold
and equally divided amongst my heirs at law her giving bond &
Security ^{my Executors} for the fourth coming of the boy at her death.

Item 17th I Give and bequeath unto Mary B. Chaney a base born
child charged to Allen Chaney ten dollars to be used in shooting
said child.

Item 18th I Give and bequeath to my wife Elizabeth Chaney

Henry Chaney's Will Continued

one largest wash Pot. Shillet. & Dutch pan, and one fire shovel, two-
pair gear shaw box of wood one mallet his choice four silver spoons -

Item 19th I Will that all of my Just. debts be paid and the balance
if any be equally divided with my heirs at law.

Item 20 I have constituted and appointed M^{rs} H. Simpson Esq. & John
Long Jun my Executors to carry this my last will and Testament in to
effect and execute every part thereof In witness whereof I have hereunto
set my name and affixed my seal this 2nd
day of April A.D. 1846 -

Signed sealed and published
in the presence of us -

Test. W^m. Stigall (Juror.)

J. M. Helms (Juror.)

Henry ^{his} Chaney (Test.)
mark

I Henry Chaney do make and publish this Codicil to this my
last will and Testament in the following manner. (to wit) I Will
that the Piece of land to be sold be enlarged by crossing the Creek where
the line come from the Hay field and run continue on the other side to
the brow of the hill then down the brow of the hill to the new road then
with the new road to the Creek crossing of the Creek then down the Creek
about fifty yards then crossing the Creek and run to the end of the hill
where the lower road turns round the hill then to the lower end of the
road of the ditch at the Creek thence down the Creek to the foot of the Creek

about fifty yards then crossing the creek and run to the end of the hill
where the lower road turns round the hill then to the lower end of the
area of the estate at the Creek thence down the Creek to the ford of the Creek
at a road than to the House of Mr. J. Minchester by Cobbin so as to include
and run in all the low land and meadow ground then from the
by Cobbin with the Town line to Allen Chesney lot then with the
line of Allen Chesney lot to intersect the line laid off in the Will
all of which my Executors have power to sell and convey after my death

Signed & sealed in the presence of us,
Jest. Hollis H. S. Phillips (Jurat)
Judge W. Heyet—

Henry Chesney (Jurat)
mark

State of North Carolina, Court of Pleas and quarters
Union County— Sessions July Term 1848

This instrument of writing the last and Testament of
Henry Chesney was produced in open Court by Mr. W. H. Simpson &
John Long Jun the Executors therein named and was duly proven by
Mr. Heyet & Gabriel W. Helms the witnesses and the Codicil to said
Will was duly proven by Hollis H. S. Phillips and ordered to be
recorded and the said William H. Simpson & John Long was duly
qualified as Executors thereby according to law

Hugh Stewart Clk