

Last Will and Testament of Jane Gathings

In the Name of God Amen.

I Jane Gathings of the Town of Monroe in the County of Union & State of North Carolina being of sound & disposing mind & memory, but considering the uncertainty of life do make & establish the following to be my last will & testament, hereby revoking & making void all others by me heretofore made.

Item first. I will & desire that after my death, my body be buried in a Christian manner suitable to the wishes of my children & friends & that appropriate marble head stone be erected over my grave, & that said funeral expenses be paid by my Executors hereinafter named, out of the moneys arising from my estate.

Item Second. I will & bequeath the sum of Twenty five dollars to the Trustees or other proper officer of the Monroe Baptist Church for repairing said Church.

Item third I will & bequeath to my son Geo. W. Gathings Two notes I hold against him, viz: One note of Eighteen 30/100 dollars (\$18.30) bearing date 2nd 1st 1881

Last

Item third I will & bequeath to my son Geo. W. Gathings
Two notes I hold against him, viz: One note
of Fifteen $3\frac{1}{2}\%$ dollars (\$13.30) bearing date
30th Augt. 1841 and one other note of Twenty
three $5\frac{1}{2}\%$ dollars (\$23.50) bearing date the
22nd Augt. 1848 now amounting, with interest
to about the sum of Ninety dollars (\$90.00)

Item fourth. I will & bequeath to my son Sampson
Gathings two notes I hold against him viz
One note bearing date the 26th May 1856 for
Six hundred & twenty dollars (\$620.) & one
other note of Five hundred & seventy five 7% dollars
(\$575.70) bearing date 22nd Augt. 1856
both notes amounting in all with interest to
this date to about the sum of Twenty two
hundred & Sixty dollars (\$2260.) - Provided
nevertheless upon the express condition
that my said son Sampson Gathings release
& convey all his interest in & to all that part
of the land in the State of North Carolina
descending to him as one of the heirs at law
of his father James Gathings deceased & which
is now included within the limits of my

Last Will and Testament of Jarric Gathings Continued

Dower estate, as follows, Viz:

That he convey for the sole & separate use of my daughter Mary Jarric Reynolds for life with the right to dispose of the same during her life by deed or by will & after her death, unless she otherwise disposes of it, to her children in fee one third of his interest in said land, free from the control of her husband during her natural life, & that he release & convey the other two third interests in said estate, included in my dower estate boundary in fee to my daughter Susan A. Poynington & her heirs.

But should my said son Sampson Gathings refuse or decline to make said conveyances as herein above directed, within one year from my death, then my will & desire is that he pay to my Exe'c'ry for the purposes hereinafter named the sum of Six Hundred dollars (\$600.) which shall be in full payment of his two notes aforesaid upon his conveyances as aforesaid, or upon the payment of Six hundred dollars as aforesaid, in case he declines to make said release & conveyances, that then his notes aforesaid be cancelled.

upon his conveyances as aforesaid, or upon
the payment of six hundred dollars as aforesaid,
in case he declines to make said release & convey-
ances, that then his notes aforesaid be cancelled
& delivered up to him.

Item Fifth. My will & desire is that my son Phillipe Gath-
ings make a like release & conveyance of his interest
in the lands aforesaid, descending from his father
James Gathings, now included in the bounds of my
dower estate, viz: One third thereof to my daughter
Mary Jane Reynolds for her separate use & benefit
during her life & at her disposal by deed or by will
free from the control of her husband & unless other-
wise disposed of her during her life then to her
children in fee & that he convey the other two
thirds interest in said land owned by him, to
my daughter Susan A. Covington & her heirs in fee
& my will is further that my said son Phillipe pay
to my Executor for the purposes hereinafter men-
tioned, One hundred & Seventy dollars (\$170.) on two
notes I hold against him bearing date the 24th
February 1853, & amounting together, after all
just credits thereon with interest to this date to

Last Will and Testament of Jane Gathings Continued
 about the sum of Twenty nine hundred
 dollars (\$2900.) & upon said release & convey-
 ances as herein directed & the payment of
 One hundred & Seventy dollars (\$170.) to my
 Executor as aforesaid then my will is that
 his two notes aforesaid be cancelled & delivered
 up to him & that he be freedly discharged from
 any further payments thereon - But should
 my said Son Phillip decline or refuse to make
 said release & conveyances as herein directed &
 desired then my will & desire is that he pay
 to my Executor the sum of Seven hundred &
 Seventy dollars (\$770.) & that he be discharged
 from any & all further payments upon
 said notes.

Item Sixth: I will & bequeath to my son Jackson M. Gathings
 one note of Twelve hundred & Sixty Eight $5\frac{1}{2}\%$ 100
 dollars (\$1268.56) which I hold against him
 bearing date 18th Augt. 1856 with interest from
 1st July 1856 amounting with interest to
 this date to about the sum of Twenty three
 hundred & Seventy two dollars (\$2372.) upon
 condition that he make a like release & con-

bearing date 18th Augt. 1856 with interest from
1st July 1856 amounting with interest to
this date to about the sum of Twenty three
hundred & seventy two dollars (\$2372.) upon
condition that he make a like release & con-
veyance as aforesaid viz: That he convey to
Mary Jane Reynolds for her own separate use
during life & at her disposal by deed or by will
& free from the control of her husband & after
her death unless otherwise disposed of by her in
fee to her children one third part of his interest
in the lands included in the bounds of my
Dover estate descending to him as one of the heirs
at law of his father James Gathings deceased,
& that he convey to my daughter Susan A
Covington & her heirs in fee the remaining
two thirds of his interest in said land, & my
will is that my son Jackson further pay to my
Executrix for the purposes hereinafter specified
the sum of Thirty dollars - But if my said son
Jackson W. declines or refuses to make said con-
veyances as herein directed & desired & to pay the
said sum of Thirty dollars as aforesaid. Then
I will & desire that he pay to my Executrix for

Item

Item M

Last Will and Testament of Jane Gathings Continued
 the purposes hereinafter mentioned the sum of
 Six hundred & Thirty dollars (\$630.) & upon the
 conveyances aforesaid & the payment of Thirty dollars;
 or upon the payment of Six hundred & Thirty dollars
 as aforesaid, my will is that his note aforesaid be
 cancelled & delivered up to him in full discharge of
 said note.

Item Seventh. I will & bequeath to my son James J. Gathings
 a note I hold against him for the sum of
 Twelve hundred & ninety eight dollars, bearing
 date the 6th of April 1857, with interest from
 1st April 1857 & now amounting with interest
 to about the sum of Twenty three hundred
 & seventy dollars (\$2370.) upon the express
 condition that he pay to my son Jackson
 M. Gathings one hundred & fifty dollars
 out of said note, which I hereby bequeath to
 my said son Jackson M. Gathings to be paid
 out of said note by James J. & upon the further
 condition that my son James J. pay to my Executor
 for the purposes hereinafter mentioned the sum
 of Three hundred & fifty dollars (\$350) & upon the
 payments of the said sum as aforesaid by me

condition that my son James J. pay to my Executors
for the purposes hereinafter mentioned the sum
of Three hundred & fifty dollars (\$350) & upon the
payments of the said sum as aforesaid by my
son James J. amounting in all to the sum of
Five Hundred dollars (\$500.) I will & desire that
the note of the said James J. Gattings be cancelled
& delivered up to him in full payment & discharge
thereof.

Item Eighth. Should my sons Sampson, Phillis & Jackson
M. fail to make the conveyances above desired &
directed by me in Items 4th - 5th & 6th within one
year from the time of my death or should they
fail within that time to make the payments
in said Items required in the event that they
decline to convey the lands as therein requested.
Then my desire is, that the several sums there-
in specified are severally to be considered as due
& payable at the time of my decease & interest
shall be calculated on said required sums from
& after my death but the balance of said notes
shall be & is remitted after said payments.

Item Ninth. My will & desire is that my sons Sampson

Last Will and Testament of June Gathings Continued
 Phillip & Jackson M. Conway their interests as
 specified in Items 4th - 5th & 6th above viz one
 third to my daughter Mary Jane Reynolds for
 her sole & separate use & benefit & at her free dis-
 posal by deed or by will free & discharged from
 any & all control of her husband, during her
 natural life & unless & unless she otherwise
 disposes of the same during her lifetime
 by deed or by will the balance of said one
 third after her life to the children of said
 Mary Jane Reynolds in fee & the other two
 thirds of their interest in said land that my
 said sons convey in fee to my daughter
 Susan A. Covington & her heirs. - But
 should they or any of my said sons elect to
 pay the required sums of money instead of
 conveying the lands as aforesaid.
 My will in that event is that if all my
 said sons should all choose to pay the re-
 quired sums of money instead of making
 the conveyances of their interests in said
 land. That then my Executor shall pay to
 my daughter Mary Jane Reynolds for her

Last

Item

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said sons should all choose to pay the required sums of money instead of making the conveyances of their interests in said land. That then my Exe cutry shall pay to my daughter Mary Jane Reynolds for her own separate use & benefit & free from the control of her husband the sum of Six hundred (\$600.) dollars who shall have the right to dispose of the same either during her life or at her death by will to her children as she may choose. And that my daughter Susan A. Covington have the balance of the moneys paid in lieu of making said conveyances by my sons over Six hundred dollars as her absolute property. But if only one of my said sons conveys lands as specified in Items 4th - 5th & 6th & the other two sons pay the moneys instead of making the conveyances aforesaid. Then my daughter Mary Jane is to have Four Hundred dollars of the money with above restrictions as to her separate use &c. & Susan A. is to have the remainder absolutely of the money. or if Two of my said sons convey the

Last Will and Testament of Jane Gathings Continued:
 and none only pay the money then Mary Jane
 shall have Two hundred dollars of the money
 as aforesaid in regard to her separate use &
 Susan A. shall have the remainder -

Item Tenth. It is my will & desire & I so direct & bequeath that
 all the residue of my estate & property of any
 nature & kind whatsoever remaining after the
 payment of all my just debts, funeral expen-
 ses, the above legacies & expenses of executing
 this will be the absolute property of my be-
 loved daughter Susan A. Covington to dispose
 of as she may think proper, and I do hereby
 constitute her as my only & sole residuary leg-
 atee on account of her filial care & attention
 to me in my declining years, & in order to aid
 her in raising and educating her dependant
 family.

Lastly I do hereby appoint my well beloved daughter
 & trusty friend Susan A. Covington Sole Executor
 of this my last will & testament according to
 the true intent & meaning of the same & of
 every part & clause thereof.

of this my last will & testament according to
the true intent & meaning of the same & of
every part & clause thereof.

In witness whereof I Jane Gathings after
hearing the above will read carefully over to
me in every clause & section thereof do here-
unto set my hand & seal on this the Twenty
Eighth day of January A. D. 1871.

Signed Sealed, pub-

lished & declared by } Jane ^{her} Gathings ^{mark} Seal.

the said Jane -

Gathings to be her last will & testament in
the presence of us, who at her request & in her
presence do subscribe our names as witnesses
thereto on the day aforesaid.

Saml. A. Walker
W. J. C. McCarley

State of North Carolina
Union County

December 2nd 1876.

Then the foregoing paper writing was offered
for Probate in open Court by Susan A. Living-
ton Executrix therein named for Probate and

Last Will and Testament of Jane Gathings continued
 the due execution thereof was proven by the
 oath of W. J. C. McCauley one of the subscribing
 witnesses thereto. Saml. H. Walker one of
 the subscribing witnesses being at the time
 of Probating this, dead his signature was
 proven by the oath of C. W. E. McCauley.
 It is therefore considered by the Probate Court
 that the said paper writing & every part &
 clause thereof is the last will & testament of
 Jane Gathings deceased and the same is
 ordered to be recorded and filed, and the
 said Susan A. Covington Executor as
 aforesaid duly qualified as such by
 taking the oath required by law.
 This 2nd December 1876.

G. W. Flaw P. J.

Last Will and Testament of E. W. Richardson dec'd
 E. W. Richardson of the County of Union
 and State of North Carolina