

Jonathan Burleysons Last Will & Testament

In the name of God amen. I Jonathan Burleyson of the State of North Carolina and County of Union being of sound mind and disposing memory but considering the uncertainty of my earthly existence do ordain and establish this to be my last will and testament hereby recording all with and testament by one hand for me made.

Item 1st I will and devise in the first place. The tract of Land upon which I now live, on Fiddlers mile Creek containing about three hundred and thirty five acres more or less to my beloved son Jasper ~~of~~ ^{from} Burleyson in fee simple for ever to be charged and honored with the incumbrances here after in this will specified as to my beloved wife Sarah and my daughter Susan Robb.

Item 2nd I will and devise to my beloved wife Sarah a lifetime interest in the entire plantation over which I now live & which is also devised to my son Jasper of Burleyson. & my wife and devise is that she have the use also of the dwelling house and all out houses in the same manner during her natural life. I will to my wife Sarah also her choice of two negro boys Will and Ben to have and to hold said boy during her natural life and I furthermore will and bequeath to my wife Sarah a negro girl named Mary and her increase to have and to hold absolutely, being property that she claims as her own and which claim I allow. and I will and bequeath to my beloved wife Sarah all the household and kitchen furniture her own to be chosen by her

and also in the first place. The tract of land upon which I now live, on Todd's mile Creek, containing about five hundred and thirty five acres more or less to my beloved son Jasper of whom Burleyow in few simple presents to be charged and never with the incumbrances here after in this will specified as to my beloved wife Sarah and my daughter Susannah Ref.

Item 2^d I will and devise to my beloved wife Sarah a lifetime interest in the entire plantation in which I now live which is also devised to my son Jasper of Burleyow, and my will and desire is that she have the use and of the dwelling house and all out houses in the same manner during her natural life. I will to my wife Sarah also her choice of two Negro boys Will and Ben to have and to hold said boy during her natural life, and I furthermore will and bequeath to my wife Sarah a Negro Girl named Mary and her increase to have and to hold absolutely being property that she claims as her own and which claim I allow. and I will and bequeath to my beloved wife Sarah all the household and kitchen furniture, two cows her choice to have her choice to have as her property during her natural life and at her death to be sold as a part of my estate & equally divided among my heirs in same manner that my personal estate is to be divided after the sale as hereafter described.

Item 3^d To my beloved daughter Susannah Ref I will

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and bequeath as follows. I will to my son Jasper J Burlyson for
the sole and separate use of my said daughter Susannah as long as she
shall live upon the same the following part of my plantation above
devise to my son Jasper my wife Sarah (viz) beginning at the north
East corner of an old piece of adjoining land of Robert Huttons old saw mill and runs a straight line from thence
to John McBerlles Barn. & my will and desire is that my daughter
Susannah have liberty to use and occupy as much of said devised
tract including the house in which she now resides as she can want.
But in no event shall her husband Nathan Ross have a right
of entry upon my plantation nor the use of any of my property
willed to my daughter Susannah. And I further will to my
daughter Susan, as follows, to my executor herein after named
I will and bequeath the one sixth part of my property arising from
the sales after the payment of all debts for the sole and separate
use and benefit of my daughter Susan and at her death for the
use of the heirs of her body begotten.

That I do my wife Sarah I will and bequeath whatever money and notes
there shall be on hand at my death which she has made and acquired by
her own industry and frugality or may acquire hereafter, viz a note
on Samuel & Wellman & Kimb for three hundred dollars and whatever
money in cash or notes she may have on hand at my death.

That I will and bequeath and desire that all the balance of
my estate left after the payment of all debts and the satisfaction of the

Thus I do my wife Sarah I will and bequeath whatever money and notes
there shall be on hand at my death which she has made and acquired by
her own industry and frugality or may acquire hereafter; viz a note
on Samuel & William H. Keen for the sum of one dollar and whatever
money in cash or notes she may have on hand at my death.
Thus I will and bequeath and devise that all the balance of
my property both real and personal not otherwise disposed of shall
be sold by my executor hereafter named after my death and the
proceeds arising from the sale thereof and from the sale of the Cow
and horse and house hold and kitchen furniture and the negro
boy, Will or Ben will be to my beloved wife Sarah during her life
time, as above specified all of said proceeds arising from
said sales to be equally divided between my beloved wife Sarah
and my five children viz One Sixth part to the heirs of the body
to be gotten of my daughter Mary Stuart deceased and to the
heirs of her body begotten alive and their heirs one fifth
part to Dennis B. Burleyson and his heirs and to my executor
hereafter named for the use and benefit of my daughter
Susan Ripz and for her sole and separate use alone as afore-
said. One fifth part and to her heirs or her body begotten at
her death, and to John B. Burleyson one Sixth part after
deducting from the same Two fragments of ninety five cents each
and interest from date on them to the time he shall hereafter
pay them, and shall pay to my estate also a note in the amount

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of a note I paid for Grain the same year to Robt S Leonard and Sampson
Wells with interest on the same from the year 1816 (eighteen hundred & sixteen)
until he shall pay the same the above judgments and note with interest
are first to be taken from the said sixth before my son John or his heirs shall
receive the said sixth and one sixth part to Robt H Griddle and John Herring
Griddle the Children of my daughter Margaret Griddle in case
they getting the sixth between them my fifth share I will to my son proper
of Hartley's son. In the above bequest my hope is to get one sixth each
of Charles or their heirs and one sixth to get each one sixth.
To Matthew Bess I will and bequeath one hundred and thirty dollars
which he owes me for money I paid out for him and in nothing more
of my estate.

And lastly I do appoint my beloved son Joseph Burlyson and my
trusty friend Samuel H Walling this writing of this my last will and
testament clothing them fully with power to execute and carry out my
Wills and reaching all other by me herefore made.

The above proceedings on these sixths include not only the money
arising from the sale of property but the note and money in
hand at my death except such as belong to my beloved wife Sarah
or money of her own acquiring.

In testimony whereof I do hereunto set my hand and affix
my seal on the third day of December in the year of our
Lord one thousand eight hundred and fifty two (1852)

Samuel H

Wall

the said property, but the note and money as
found as my debts except such as belong to my beloved wife's
army of her own acquiring.

Testimony whereof I do hereunto set my hand and affix
my seal on the third day of December in the year of our
Lord one thousand eight hundred and fifty two (1852)

Signed sealed acknowledged and delivered in the presence
of us in the presence of each other who together set our names
as witnesses at his request thereto on the
third day of December 1852.

J. C. Austin
Evan D. Austin

Jonathan Burleigh (Seal)

State of North Carolina County of Hager Quartr. Specy
Union County 3rd Decr 1852.

A paper coming purporting to be the last Will and Testament of Jonathan
Burleigh as recorded in an open Court for probate by Samuel H.
Watts one of the executors therein named and the execution
thereof by the said Jonathan Burleigh was proved by the oath and
affirmation of J. C. Austin and Evan D. Austin the subscrib-
ing witnesses thereto. It is therefore considered by the Court
that the said paper coming and every part thereof is the
last will and Testament of the said Jonathan Burleigh
and the same is ordered to be recorded as such.

11 3

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And therefore the said Samuel H. Walling Esquire, as aforesaid
being qualified as such by taking the oath required by law
J. H. Hough Esquire

Samuel H. Walling Esquire. Testimony
Mar the 26th 1866

In the name of God Amen. I, Samuel H. Walling of the State of North Carolina
and County of Union being of sound and disposing memory and mind
blessed be God do make and publish this my Last will and testament
(fully disavowing and revoking all former wills by me made) in manner
following)

Item 1st I give my will after my decease all my just debts and funeral expenses paid
out of my personal Estate my body to be duly buried by my family and
funeral and expenses to be defrayed by my Executors hereafter to be
nominated by me out of my Estate.

Item 2nd I will and bequeath to my beloved wife Polly one year's provision
for herself and family together with the use and occupancy of
my plantation for the support herself and children and also my
stead Wagon my buggy, stables, harness and two head of horses
besides all my stock of cattle & sheep & poultry also all
my house hold and kitchen furniture all my personal