

Last Will ^{and} Testament of Mary E. Massey

In the name of God, Amen

I, Mary E. Massey, of Fort Mill in York County and State of South Carolina, being convinced of the uncertainty of life and the certainty of death, and being of sound and disposing mind and memory, do make, publish and declare this my last will and testament:-

1 My body I consign to the ground, to be buried beside my late husband, and my soul to God who gave it; and I desire my property, at my death, to be disposed of as follows:-

2 My son, Benjamin Henry Massey, having on, or about the 8th day of March A. D., 1874, bargained with me for the purchase of my lands, lying in the South-West Corner of Union County in the State of North Carolina, and executed his note mortgage to me to secure payment of the purchase money - which mortgage as well as my deed to him conveying said lands are recorded in Monroe, North Carolina; and he having been unable to pay for the said lands, and having therefore deeded the same lately back to me (said lands containing two hundred and seventy-seven

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fore being reinvested in me; now I will and bequeath to the said Benjamin Henry all the East end of said tract of land together with all that part of the West end thereof, lying North of the middle of Ewing branch (which branch runs in a Westerly direction through the West end of said tract), containing two hundred and twenty one & $\frac{7}{10}$ or 221 $\frac{7}{10}$ acres; also I will and bequeath to him all my furniture, table ware and other personal effects now in his possession. But this bequest is for the following purpose, to-wit: that said Benjamin Henry and his family, during his natural life, may be supported and maintained by the use thereof; and at the death of the said Benjamin Henry said bequest shall descend to his heirs at law.

3. The remainder of said lands in Union County, North Carolina, lying South of the middle of said Ewing branch, and bounded West and South by the State line, and containing by estimation fifty five $\frac{3}{10}$ (55 $\frac{3}{10}$) acres, I will and bequeath in fee simple to my daughter, Alice Amanda Massey.

4. Being possessed of a tract in Lancaster County and State of South Carolina South of New River

estimation fifty five $\frac{1}{10}$ (55 $\frac{1}{10}$) acres, I will and bequeath in fee simple to my daughter, Alice Amanda Massey.

4. Being possessed of a tract in Lancaster County and State of South Carolina, South of Waxhatch Creek, bounded by lands of E. B. Mobley, the heirs of B. J. Cuntton, and the assigns of J. M. Ivy, deceased, supposed to contain three hundred and one (601) acres, I desire the same to be divided by a line run from a point on E. B. Mobley's line, in a southeasterly direction, parallel (or nearly so) with the long Eastern boundary of said tract, so that the Eastern division will contain three hundred and eighty one acres, and the Western division two hundred and twenty acres.

5. To my daughter Alice Amanda Massey, I will and bequeath in fee simple the Eastern division of said lands in Lancaster County; also my watch, jewelry, all the books and periodicals composing my library (except 6 volumes of Scott's Bible), all my pictures, table ware, china ware, silver ware, wearing apparel, and all of my furniture of whatever

Mary El Massey Last Will (and) Testament Continued
 kind now in her possession or in her house except one
 Canvas-Covered trunk marked S. B. M.

6. As a token of affection for my brother, Henry
 Reese Massey, I will and bequeath to him the
 six volumes of Scott's Bible in my library.

7. My son, Samuel Franklin Massey, being
 threatened with blindness and otherwise afflicted, I
 deem it important and necessary to make special
 provision for him, fearing misfortune may
 overtake him. I therefore set apart the Western
 division of the lands in Lancaster County, afore-
 said, in trust to my son-in-law, James C.
 Massey, as trustee for my said son Samuel
 Franklin, for the following purposes: first
 from the income thereof to pay taxes thereon;
 secondly for the support and maintenance
 of said Samuel Franklin, or in case he marry,
 for the support and maintenance of himself and
 family; then the surplus, if any, shall be invested
 in improving enhancing and increasing said estate,
 whether by purchase of stock for farming pur-
 poses or for marketing purposes, or in employment
 of husbandry, or erecting buildings, or in purchasing
 other real estate to what he shall think fit.

gains, then the surplus, if any, shall be invested in improving enhancing and increasing said estate, whether by purchase of stock for farming purposes or for marketing purposes, or in employment of husbandry, or erecting buildings, or in purchasing other real estate to add thereto to be managed and to descend as in the case of the original estate here set apart or in any other way for the increase of the said estate.

This provision is also made in order that if said Samuel Franklin die, without leaving a widow or lawful issue the estate here set apart, together with its increase and accumulation as aforesaid, shall revert and descend to my other two children, Benjamin Henry and Alice Amanda, in equal parts, or, in case of death of either of them his or her heirs shall take his or her part.

But if said Samuel Franklin die, leaving a widow or lawful issue, or both, surviving him, then the estate here set apart together with its increase and accumulations as aforesaid shall descend to said widow and lawful issue or to either of them as the law directs.

Last Will and Testament of Mary E. Massey Continued
And if blindness or other incapacity overtake said Samuel
Franklin, I enjoin on said trustee to see that heirs
are properly Cared for out of said estate.

Nevertheless it is hereby directed, that, so long as said
Samuel Franklin is not incapacitated by blindness or
otherwise, he may if he chooses, manage said estate
according to his own judgment, farming on the land or
renting it out, or improving, or in any way herein
before mentioned, or as he may see fit, accounting
to said trustee for surplusage, as herein before
provided, over and above taxes, expense of
farming and implements of husbandry, stock for
farming improvements, and support and main-
tenance as aforesaid.

I also will and bequeath to my said ~~son~~
son Samuel Franklin, the Carriage covered
trap aforesaid, marked S. B. M.

8 Having few debts, and the income from my
several farms being sufficient to meet them
and leave a surplus, I direct my executors
to pay my just debts, burial expenses, and to
cause to be erected suitable monuments over

several farms being sufficient to meet them and leave a surplus, I direct my executors to pay my just debts, burial expenses, and to cause to be erected suitable monuments over the graves of myself and my deceased daughter, Emma Eliza Massey.

9 In making the aforesaid distribution of my property account has been taken of all debts due me by my children and my son-in-law James E. Massey, including a trust fund of two hundred dollars due by Sam D. Massey for the use of my daughter, Emma E. Massey, now deceased, and all parties herein interested being present and consenting thereto, all debts due me by aforesaid parties are hereby cancelled and obliterated up to date.

10. I hereby appoint and constitute my son, Samuel F. Massey and my son-in-law, James E. Massey, my executors to carry out this my last will and testament; and direct that neither they nor either of them be required to give bond as such, nor be required to account to the courts.

In witness whereof I hereto set my signature

this the 11th day of October in the year of our Lord
one thousand eight hundred and eighty seven.

Mary E. Massey

We certify that Mary E. Massey signed, published and
declared the foregoing as her last will and testament
in our presence, and that we as witnesses thereto have
signed this certificate of attestation in the presence
of said testatrix and of each other on the day
and date of the execution thereof, to wit: the 11th day
of October, A. D. 1887.

J. W. Ardrey,
J. M. Spratt,
L. J. Massey,

South Carolina, } Personally appeared J. M. Spratt,
York County, } and made oath that he would
present and said Mrs. Mary E. Massey sign
seal and acknowledge the within instrument of
writing as her last will and testament, and
that he with J. W. Ardrey and L. J. Massey, witnessed
the due execution thereof in her presence and
in the presence of each other, and that she
was then of sound disposing mind and memory.
Given and subscribed
to before me this 2nd day of Dec. 1891

J. M. Spratt

and execution thereof in her presence and
in the presence of each other, and that she
was then of sound disposing mind and memory,
Solemn and subscribed

to before me this 2nd day of July, 1891

W. J. McCorkle, C. J.

J. M. Spratt.

Upon the above proof, I admit the within last will
and testament of Mrs. Mary E. Massey to probate in
Common Form
July 2nd, 1891

J. E. Massey qualified as Executor,
July 2nd, 1891

W. H. McCorkle, C. J.

W. H. McCorkle, C. J.

South Carolina
York County



In the Probate Court.

I W. H. McCorkle Probate
Judge for York County and State aforesaid
do hereby certify that the foregoing five
pages of printed matter contains a true
copy of the last will and testament of
Mrs. Mary E. Massey last filed in the

Probate Office at York Court House.

Given under my hand and seal of
 Probate Office at York Court House this 24th
 February 1892

W. H. M. Cooke
 Probate Judge of C. & D. C.