

John Sholar Will (Bertie Co., NC.)

1791----In the name of God Amen, I John Sholar of the State of North Carolina and county of Bertie being of sound and perfect mind and memory, Blessed be God, Do this twelfth day of August in the year of our Lord one thousand seven hundred and ninety one make and publish this my last will and testament in manner following, that is to say---First- Now as for my four daughters that is to say Montella Wimberley, Sarah Lee, Judith Tool and Mary Wimberley, I have all ready given them their full part of my whole estate which I allotted for them. Now as to say Bryan Sholar, David Sholar and Edward Sholar sons of my son David Sholar Decd. I give them in manner and form as followeth. That is they shall not make any conveyance either by sale gift rent or any other ways whatsoever of these lands nor the appertainances thereon standing lying or any ways being except to his own brother. But when these boys comes to be of full age and all should jointly agree to sell the whole tract of land and divide the money equally between them then that shall be lawful and according to my will and not otherwise. Now when I give titles to these boys for these lands and writes assigns, this word assigns shall be taken in the true sense and meaning as from one brother to another and not otherwise except they all jointly agree and sell the whole tract. Now my plantation taken up by Owen O'Daniel lying on northeast of Wallom Swamp joining the mouth of Possum Branch with other lands joining the said plantation beginning at the mouth of slash on the North side of Possum Branch near againse Charles Dement's House thense along said line a north course to the head corner, a pine- thense a more eastward course a row of marked trees into my Pocossum to the other row of marked trees- Lemuel Lee's line. Now this above mentioned plantation with these lands joining I give to my grandson David Sholar to him and his heirs and forever, containing two hundred and fifty acres more or less. Now from the mouth of said slash against Dement's house still up Possum Branch to the last slash next to the new rede thense a northern course up said slash through the Ponds to the head of Wolf Pitt Branch thense down said Branch unto my Pocosson together with all the land including from this Branch and David Shollar's to him his heirs and assigns forever containing two hundred and fifty acres more or less. Now from these above mentioned courses all the lands that I hold eastward known by the name of Woolf Pitt Ridge from the north head corner to the South head corner, I give to my grandson Edward Shollar to him and his heirs and assigns forever, containing two hundred and fifty acres more or less. But and if either of these grandsons die without issue then their part of my whole estate shall be divided between the rest of heir own brothers. Now as for my mannor plantation whereon I live taken up by Thomas Brigman, I give and bequeath to my grandson Lemuel Lee, son of my daughter Sarah and Henry Lee. Now from the South head corner joining Owne O'Daniel's line a black gum a corner thense a row of marked trees near a north east course to the head of a branch whereon I now, together with all the lands I hold upon the north side of said ranch to the head of Green's Pocosson to a row of marked trees from Green's Pocosson give and bequeath to my Grandson Lemuel Lee his heirs and assigns forever, and my will and desire is that the aforesaid

Lemuel Lee shall not convey either by sale gift or rent or any other ways whatsoever the said lands or plantations or any part thereof except it be to one of my other grandsons to whom I have given all other lands. He shall not sell or convey only by the method afore prescribed for and as one of my other grandsons his lands I give and bequeath to my grandson Lemuel Lee my still---and grindstone my small gun my ounce shellars my money scales my mark and brand my pewter measures one large Duftail Chest one feather bed with its furniture together with his part of my tools as my Executors shall see proper and it is my will and desire that my grandson Lemuel Lee immediately after my decease possess both land and all other property which I have given into him in this present will. I give to my grandson Bryan Shollar my Ryphel gun with his full part of my tools as my executors shall see proper and come in for his equal part with rest of his brothers and sisters of my movable estate and moneys. Likewise my two grandsons David Shollar and Edward Shollar shall have their equal part of my movable estate and money with the rest of their own brethen. Now my executors shall have the right to rent out one or more of my plantations or parts of my land as they shall see proper to raise money to defray the quitrents of the whole tract of lands and other changes until these boys come of age then they shall pay for their own part of land. Now I give to my two granddaughters, that is to say Elizabeth Shollar and Rachel Shollar daughters of my son David Sholar Decd., fifty silver Dollars to each girl to be paid to them at lawful age or marriage, by my executors. But if one of these granddaughters die without issue shall them her own sister shall receive her part of such money as I have given them. I likewise constitute and appoint my son in law Henry Lee my Executor to my will as to have full management of all the property which I have given to my grandson Lemuel Lee without any interruption by any other Executor. I likewise constitute and appoint my trusty friend Benjamin Sholar and Hohn Holler Lee the whole and sole executors of all the remainder of my estate which is not under the management of my other executor of this my last will and testament. But if any matter or thing should arise concerning any part of my estate I do hereby choose my friend William Cherry and Cader Powell Esqs. to settle and oversee and be the assistant with my executors in such matters concerning any estate without the appraising nor selling any part of my whole estate. But that these above mentioned friends by their umpirage power shall be assistant with my executors shall use the best means as their wise discretion shall afford that my above mentioned grandchildren may enjoy the whole benefits of my whole estate and I do hereby uterly disallow revoke and disannull all and every other former wills andtestaments legacies and bequeaths by me in anywise before ordained willed or bequeathed ratifying and confirming this and no other to be my last will and testament. In witness whereof I have hereunto set my hand and seal the day and year above written. Signed sealed published and declared by the John Sholar the Testator as his last will and testament in the presence of us who were present at the ensealing and signing these of his John X Sholar mark (Seal) Test. Joshus Lee his X mark Ruben R. Stallings his X mark State of North Carolina, Bertie Co., May Term 1792