

Will of
General Edward
Ward

Will of General Edward Ward

1779-1834

**Cemetery Marker in National Cemetery, Jacksonville
No Children**

In the name of God Amen, I Edward Ward of Onslow County and the State of North Carolina being of Sound and perfect mind and memory, blessed be God, do this 13th day of August One Thousand Eight Hundred thirty Four, 1834, make and publish this Last Will and Testament in manner following, that is to say, first it is my Will and desire that my body may be buried in the manner that I may verbally direct my friend, and in case I leave no direction then at their discretion.

2nd: I give and bequeath unto my dear wife, **Ann Maria Ward**, all the negroes with their increase that I now own that I got by her in marriage, also yellow George, Cisro and wife Cate, Fortin, Douan and wife Cealy and her children, Peggy and children, Ross and children, Cambridge, Reuben and his wife Winny, Peter Peter Lewi's husband, Ned Lotty's husband, and yellow Ned that I bought from Hatch, Michel one of the house servants, her choice of carriages and the best pair of carriage horses, all the stock of every description that is on the Wayne Plantation with all the tools of every description, household and kitchen furniture, farming utensils of every description and all my right and title to the Wayne land that came by her, with the crop of corn, fodder, peas and small grain cotton not excepted with all the bacon and pork and corn that may be housed at my death or fodder or peas, and I do further give unto her my carpenter Jim, his wife Very and her children, (negro I bought at Wm. Dunnis's Sale) also Dinah's child Mary and \$3000, Three Thousand dollars in cash or good notes in consideration of her third of my Onslow lands, to her and her assigns forever.

3rd: I lend unto my sister **Fanny Montfort** my Town Point and Holme's Point plantation during her life I also lend her the following negroes her life time, Jacob and his wife Huldry and children, Sam, Zetty, William, Jerom, Tom Peter and Ivey, (these last seven negroes are children of Bill and Crease) Napoleon, a child of Vilets, Allen, Sellers and her children, Nicey Ginn, and her children, Ann, Martin, Zilly, Hamlet, and Edward, these last negroes from Helen are Vilets, children, and if Vilet has any more children they are to go in the same way as these, also big Alfred and big Ellas.

4th: I further give and bequeath unto my wife upon the following conditions, the following negroes, Isaac, Daroas and her child Annah, Wright, Frank, and Jones, negroes formerly the property of Richard B. Hatch, the conditions are, that if my estate ever comes to any damages for the lands I sold of hers in Johnson County to John Sanders of that county, that she has all damages out of her part of my estate and I do by these presents bind her part of the estate to pay all such damages, and further to make Stephen Smith of Wayne a deed to some party land I sold to him which I got by her, and a deed has never been given, I believe the part I sold him amounts to seventy five or one hundred acres of piney land.

5th: I give and bequeath unto **Edward Ward Smith**, son of Stephen and Sally Smith of Wayne, a Negro boy George, being one of the Negro boys I bought at Richard B. Hatches' Trust Sale, a son of Talithy and Fortin, also I leave him twelve hundred dollars to give him a collegiate education, to be put upon interest soon after my death and kept upon interest until he is ready to go to college then advanced as necessary.

6th: I give and bequeath unto **Edward W. Montfort, son of Fanny and William Montfort** my Town Point plantation including the lands of James Gray Executor to, I believe Frederick Thompson. The lands I bought of Alfred Thompson and Axom Morris of Duplin County, the lands I bought of Gurganus, and wife and Woodward, called this Hambleton land. also Horne Point plantation that I bought from Wm. S. Hill, together with all the lands not otherwise disposed of in this Will, that I own in the Lower South West district to be his heirs and assigns, at the death of his mother, also, the Negroes I lent her to his, his heirs and assign after her decease.

7th: I give and bequeath unto **Edward Ward, son of Benjamine Ward** the land I bought of Joseph D. Ward, lying on Stones Bay in the Lower South West district, and Negroes, Tom, Anthony, Cloe and her three children, (Henry, Alfred, and Luke) I leave his father Benjamine Ward his guardian to receive his property at my death.

8th: I give and bequeath unto **Edward Ward Fonville, son of Brice and Hellen Fonville** all the lands I own on the East side of the New River, (except such as are willed away by this Will) I give him the lands I now live on with all its improvements, the lands formerly belonging to his father on the Sound which I purchased at the exception Sale, and the following Negroes Ran, Sanders, Maria, Isaac and Nicey, and all their children, that are not given away to other persons. I reserve out of the land I now live on, one acre where the grave yard is, to be kept for a family burying ground, as my Executor are particularly requested to have as much of the grounds enclosed with a brick wall as will enclose all the graves now there, and as much more as they think will be necessary for the future use.

9th: I bequeath unto **Margaret Fonville**, Tamer and her child Mary.

10th: I give and bequeath unto **Fannie Montfort, Robert Montfort's wife**, Lucy Jack and her child.

10th: I lend **Athelia Morton** her life time a Negro girl Chelsey (Nice's child) then at her death to her daughter Ann Maria.

12th: I give and bequeath unto **Ruth Fields**, Negro Woman Sally and her child, that I bought of her husband Jacob Fields, also Esther and her child Jim.

13th: I give and bequeath unto **Amanda Flowers**, Negro woman Cely, Amy, child of Esther, and Margaret, child of Louisa deceased.

14th: I give and bequeath unto **Betsey Ann Sanders**, daughter of **Shepard and Louisa Sanders**, Negro girl Viner.

15th I give and bequeath unto **Harriet Fonville**, daughter of **Edward W. Fonville**, Negro man Ephraim and Ned, a child of Tamers.

16th: I give and bequeath unto **Edward Ward Sanders**, son of **Shepard and Sousa Sanders**, a Negro boy Charles a son of Tamer.

17th: I give and bequeath unto **Edward Ward Sanders**, son of **Isaac and Ruth Sanders**, a Negro boy Jack, son of Isaac and Nicey.

18th: I give and bequeath unto **Edward P. Hall** a Negro man black George.

19th: I give and bequeath unto **Edward W. Hawkins**, son of **John Hawkins**, the land his father now lives on, contained I believe about 75 acres, reference being had to a patent granted to myself will show.

20th: I give and bequeath unto the boy children of **Edward W. Fonville**, deceased, **Price, James**, and **William Fonville**, the land I bought belonging to their father to be equally divided between them with all stock I bought at their father's sale, horses, cattle and hogs.

21st: I give and bequeath unto **Alice Fonville** all household furniture I bought at the sale of her husband except one bed I now give to her daughter Harriet.

22nd: I lend to **Hellen Fonville** the plantation she now lives on during her widowhood, with all the household and kitchen furniture and I also lend her the following Negro for the maintenance of her children, she is to have the use of the Negroes until the children come of age or marries then they are each one to their own, I lend her **Abram**, **Rachel**, and her two children, and Edq.

23rd: I give and bequeath unto **Mary E. Fonville**, daughter of **Brice**, Negro man **Abram**.

24th: I give and bequeath unto **Lewis Fonville**, son of **Brice**, Negro boy **Caesar**.

25th: I give and bequeath unto **William Fonville**, son of **Brice**, Negro boy **George**.

26th: I give and bequeath unto **Amanda Caroline Fonville**-(*Married Hughes*), daughter of **Brice**, Negro girl **Edy**.

27th: I give and bequeath unto **James Rhodes Fonville**, son of **Brice**, Negro woman **Rachel**. The Negroes left to the above five children of **Brice Fonville**, is to receive them as they come to age or marry, if **Hellen** their mother marries then the Executors are to take the Negroes from her.

28th: I give and bequeath unto **Edward W. Wilkins, son of Samuel Wilkins**, one hundred acres of land lying in Jumping Run Neck, patented by my father, reference to the patent Will show.

29th: If I have forgot any of the children of Tamer and Nicey Sen, I give those that are not willed away to **Edward W. Fonville, son of Brice**.

30th: I give and bequeath unto **Edward W. Fonville** twelve hundred dollars to enable my Executor to give him a collegiate education, to be added to the rent of his land and hire of his negroes for the purpose, and it's my will and desire that they should attend strictly to his education and prepare him for the university and send him there as soon as they can, I add three hundred dollars more to the twelve making at fifteen hundred, which I give him for that purpose.

31st: I give and bequeath unto **Edward D. Hall, son of Edward P. Hall**, one thousand dollars to be paid to his father to give him a collegiate education.

32nd: I leave fifteen hundred dollars to be paid out of my Executors for the education of **Edward Ward, son of Eli W. Ward**, deceased to be paid out by them proportions as will keep him in College at the University of the State four years, they are to let his guardian know that as soon as he will have him prepared for College that they will furnish the money to complete his college education. The money to be put to interest until he is prepared for College if any is left after his education is completed then let him have it, if necessary they can advance one or two hundred dollars to prepare him for college and if necessary they are required to do so.

33rd: I leave my negro man **Bill** free and his daughter **Dinah** I also leave free to cook, wash, wait on him and give him every necessary attendance during his life. I leave them the house that **Dinah** and **Cloe** now lives in their life time and **Crag Field**, cleared and uncleared and as much of **Cray Nick** for their own use. If **Dinah** has children her increase I give to **Edward Ward Fonville** and his assigns. My man **Cape** and negro woman **Violet** free they are man and wife, and leave them the **Cumberland Field** on the land I bought of **William S. Hill** with the privilege of fire wood and timber to fence it and as much land adjoining as will be necessary for their own use, and timber to build a house. If **Bill** and **Dinah**, **Cape** and **Violet** or either of them are willing to go to any of the free colonies or states my Executors are required to let them go and furnish them with fifty dollars a piece in cash to pay necessary expenses, but should **Dinah** not leave before her father's death nor within two years afterwards I do give her to **Edward W. Fonville** his heirs and assigns.

34th: I leave to my friend **Isiah Ward** his choice of my saddle horses except the carriage horses, and my bridle and saddle.

35th: I leave **Doctor David G.W. Ward** my watch and establishment and silver mounted single barrel gun.

36th I leave **Edward W. Montfort** my silver mounted double barrel gun.

37th: It's my will and desire that my Executors have a **vault** built in my grave yard and put at least eight feet below the surface of the ground and five feet above besides the roof which will make it much higher, and have it at least fifteen or twenty square, built of good brick and the grave yard is to be bricked in as before directed- The vault I want for myself to be put in, it must therefore be done very soon- I want it large enough for myself, wife, sister Fanny and her husband and son and son's wife if they wish, and it may also be for his children and for Edward, the son of Brice, that's all I wish put in it, I have no objection if it will hold more that it should be filled with near relations after provision is made for what I have mentioned.

38th: I hereby appropriate five hundred dollars, two hundred and fifty of which is to build a **meeting house** for the purpose of preaching in and keeping school in, free for any denomination of **preachers** that choose to preach in it, to be built near the head of the Spring Branch. one acre of ground is also given to build it and the other two hundred and fifty dollars is to be put at interest, the interest annually paid to the preachers, that preach in it.

39th: I lend to **Clarrisa Hatch**, Tilethy and her child Mary, Tenor and at her death to be equally divided among her children.

40th: I give and bequeath unto **Mary, Caroline, Lewis, Williams, and James Rhodes Fonville, children of Brice Fonville**, deceased, the land I bought, that formerly belonged to Irving Yopp lying on the South West side of New River near Wilkins and Sneads Ferry, reference to a deed made by Sheriff Fonville will fully describe the land, to be equally divided among them.

41st: I give and bequeath unto **Edward Ward, son of my cousin John Ward**, a negro man Toney.

42nd: I leave **Betsey Gornto(married Sammons)** daughter of John Gornto, one hundred dollars to be paid soon after my death.

43rd: I leave **Edward Ward Scott, son of Benjamine Scott**, two hundred dollars to be kept upon interest until he comes of age then paid him.

44th: In the second section of this will I say I give **my wife** all the negroes with their increase, that I have owned that I got by her in marriage- I don't know that any difficulty can arise in the manner of expression, but to give more explanation, I want it understood, nothing more is meant than to give her all her negroes I got in marriage with their increase that I now own- I have sold some two of them or more.

45th: I give and bequeath unto **Doctor Benjamin W. Sanders** a negro boy little Elias.

46th: I leave my negro man Dave, Sam Cammons and Old Sally to be sold with all my crops of corn, fodder and every other part of the crop at Town Point and Holmes Point and at the place where I live. Also all my stock of horses, cattle, hogs, sheep and every stock at Town Point, Holmes Point where I now live and at the Sound with the exception of two creatures which Hellen Fonville is to have the use of and two cows and calves the old gig and harness I give her with the tools, wagons and implements of farming to be sold at these places also the crop of every description that may be had housed on the Stones Bay Plantation and the Sound Plantation, is to be sold upon such term as my Executors may think proper, and the proceeds of the sales with the notes and the money on hand are to pay just debts if any, and my funeral expenses and the legacies which I made in this Will to be paid in money, and the bricking and vaulting the grave yard. It is my request that Gen. Edward Dudley take the guardianship of Edward W. Fonville and that he have the management of his person and property and my executor are required to deliver over to him as guardian, the property left by him by this Will, if he will receive it and give a receipt as guardian.

47th: I want negro man Dave to be sold to some person that will take him to the Mississippi certain bend given to that effect.

48th: I give Hellen Fonville and her daughters, Mary and Caroline all the household and kitchen furniture I bought at Brice Fonville's sale to be equally divided between them but Hellen to have the use of it as long as she lives a widow and two horses and two cows and calves before mentioned she is to have the use of as long as she lives a widow. I also want her to have corn and meat enough to last her and children until the next crop, or as long as my Executors think she ought to be provided for, until she can make a crop, in case she is not provided for at my death.

49th: If I have left any negroes unwilling I have forgot them and in that case I give them to Edward W. Fonville.

50th: It's my will and desire that my Executors buy white marble tomb stones for the graves of my father, mother, sister Fonville and her husband Brice Fonville and my first wife Elizabeth, and have the time of their births and deaths engraved upon them.

51st: It's my will and desire my negroes should all be kept together until the crop is made housed and sold, and the bricks made for the grave yard, but if they can't be made in time for the vault that many must be bought, and if anything should happen there should not be funds enough to meet all the legacies I have made, the negroes and land be hired out until sufficient fund be raised except the negroes I got by my wife, she is to take them as soon as the crop is housed and sold, but I have no doubt their will be an overplus after paying all my legacies without hiring the negroes or land. I enjoin it upon my Executors and it's a part of my Will, that they use no part of the money or notes to their own use, but put it to the use which my Will requires, unless it's their lawful commission. If they violate these instructions they must not look upon themselves as honest men. They must excuse me

for making this observation, for generally speaking we see Executors appear to use the estate they have to manage as if they were their own.

2nd: It will be seen that the Wayne Cotton Crop was in the second Section of this Will excepted therefore the word "not is interlined and in the 4th Section the words" with the **Cotton Crop at Wayne Plantation**" are marked out this is where it was left to be sold I have been thus particular that should be no difficulty in my wife's getting of it, as I do hereby give and bequeath it to her with every description of crop and stock on the said Wayne Plantation and I do further give and bequeath her One Thousand dollars to be paid her in money or in good notes, making with a former bequest in this Will of Three Thousand dollars, Four Thousand dollars to her, her heirs and assigns.

53rd: It will be seen in the 46th section of this Will the **residue of my estate** disposed of in the following words- "the balance, or half of which is to be paid my sister Fanny and the other half to Edward W. Fonville" which words are marked out as I do now make on other legate- It will be my will and desire, and I do now give and bequeath unto **my wife Ann Marie, my sister Fanny Montfort and Edward W. Fonville**, to be equally divided between them, all surplus funds that may be found to arise from my estate after former bequest shall I have been complied with to their heirs and assigns.

54th: It will be seen in the second section of this Will that I have with other negroes given to my wife, **negro man Charles**, but it is my will and desire that she do not object to his being **free after five years service**, be giving she will not, I do hereby leave him after faithfully serving his mistress the term of five years, free, and do give unto him in any part of my Piney woods on the East side of the New River, that he may choose, fifty acres of land with every privilege thereon, during his life, to take possession of said land at the expiration of his term of service.

55th: It is my will and desire that all such **favorite negroes** as I have left free, and left to remain on lands given Edward W. Montfort (say Cape and Vilet) shall be, in case of inability to support themselves, be taken care of by him.

56th: I do hereby appoint worthy friends, Benjamine Ward, Doctor Benjamine W. Sanders-(*he emigrated to Mississippi*), William Montfort- (*Brother-in-law*), Edward W. Montfort-(*Nephew*), General Edward B. Dudley, Doctor David G.W. Ward-(*he built the Hurst Home in 1822 and emigrated to Florida in 1840*), James Rhodes, and Stephen Smith-(*2nd wife's sister's husband*), **my Executors** to this my Last Will and Testament.

All inter litigations or erasures that may be seen in this Will were made before the signing of it, and should not be objected to, and it is my wish no difficulty arise on account of any.

This Last Will and Testament of Edward Ward was signed and acknowledge before us this 13th day of August 1834.

Edward Ward (Seal)

Daniel Ambrose
John A. Sanders

John D. Ward (cousin)

State of North Carolina, Court of Plea, and Quarter Session May Term 1836,
Onslow County:

The foregoing Will of Edward Ward is proved by the Oath of the subscribing witnesses refer to minutes of this term whereupon William Montfort and James Rhodes two of the Executors therein named qualified as such is due by Law, Whereupon it is ordered that letters testamentary be granted them.

D.W. Sanders Clk.

Note: Anything written in italics has been added to try and clarify relationships . They were not in the Will.