

CHAPTER V

SOME OLD PUBLIC RECORDS; LAND GRANTS; DEEDS; WILLS

ASSIGNMENT OF LAND PATENT BY WILLIAM ROSE TO MATHEW BATTLE¹

[Surry County Records, 1645-1672, p. 20. Virginia State Library, Richmond, Va.]

I Wm. Rose doe for mee my heires executors, Administrators and assigns assigne over unto Mathew Battell and Rich. Trias, their heirs, Executors administrators or assigns, all my right and Interest of two hundred and eleven Acres of Land in the pattent Expressed Lying and being in the Countye of Surry boundinge upon the land Tho. Woodhouse, and do binde my selfe to Acknowledge the same in Court and there Surrender my whole right of this pattent. Witnesse my hand this 21 of March 1653.

Wm. Rose

Recordat: 30th Marty 1654.

LAND GRANT TO JOHN BATTLE¹

[Colonial Land Office Records, State Capitol, Richmond, Va., Land Grants, Vol. 3, 1652-1665, p. 216.]

To all &c whereas &c now know yee that I the said Richard Bennett Esq. &c. give and grant unto John Battle two hundred Acres of land Situate or being in and western branch of Nansimun river begining at a marked white oake and running for breadth South East one hundred pole joyning to the lands of Thomas Babb to a marked white oak and for length south west three hundred and twenty pole to a marked red oake and Soo again for breadth north west one hundred pole to a marked tree, and soo for length north East three hundred and twenty pole to the first mentioned Marked tree. The said Land Coming due unto said John Battle by and for the transportation of four persons into this Colony &c. to have and to hold &c. yeilding and paying &c. which payment is to be made Seven years after the first grant or Sealing thereof and not before provided &c. Dated &c. the 14th. of December 1654.

John Battle Elizabeth Battle Thomas Nowell Robert Wolfe

POWER OF ATTORNEY GIVEN BY MATHEW BATTLE

[Surry County Records, 1645-1672, p. 94. Virginia State Library, Richmond, Va.]

Know all men by these presents yt I Mathew Battell in the Countye of Surrey in Virginia have ordained Constituted and made my tr. friends James Sowersbye and Thomas Sowersbye my true and Lawful attorneys in my name and for my use to Aske, demand and receive of and from any person or persons in Virga. all or any Debts, dues or Rights that doth any way apertain unto me the said Mathew Battell

¹Early Virginia records show numerous references to John and Mathew Battle. Only a small number can be included here.

either from Bills or Bonds or any other Debts, as the said Mathew Battell shall dl. unto the Custodye of his sd. attorneys. Also I give & Confirm Lawfull power in my sd. Attorneys to Aske, demand and Receive and give discharge unto person or persons wtsoever. And also to pay all Debts, as shall Justlye be md. appear due for the sd. Mathew Battell. In witness whereof I have hereunto sett my hand and seale this twentyeth day of March 1655.

Mathew Battell

Witnesse.

Jno. King, Junior.

Henry Lathered.

Record: 10 Feb: 1656.

LAND GRANT TO JOHN BATTLE

[Colonial Land Office Records, State Capitol, Richmond, Va., Land Grants, Vol. 4, 1654-1664, p. 585.]

To all to whom these presents shall come I Wm Berkeley Kt Governor and Capt Genrll of Virginia send Greeting in our Ld God everlasting Whereas by Instructions from ye Kings Most Exclt Majtie directed to me and ye Councill of State his Majestie was graciously pleased to authorize ye said Governor and Councill to grant patents & to assign such proportions of land to all adventurers and planters as hath been usual heretofore in like cases either for adventurers of money or transportacon of people into this Colony according to a Charter of orders from ye late treasurer & Company and yt ye same proportion of fifty acres of land to be granted & assigned to every pson transported hither since Midsummer 1625 and yt ye same course be continued to all adventurers aund planters untill it shall be otherwise determined by his Majestie.

Now know yee yt I ye sd Wm Berkeley Kt Governor &c doe with ye consent of ye Councill of State accordingly give and grant unto John Battle six hundred and forty acres of Land lying on ye westward side of paspetank River Beginning at a marked pine on a point which parts this land and Wm Fortsens Land and running Southwest and by West 640 poles into ye Woods for Length then up ye said River to marked pine with in ye mouth of a creek and thence Southwest by west to ye end of ye two miles ye said Land being due to ye said Battle by &c for ye Transportation of thirteen psons into this Collony whose names are on the Record mentioned under this Patent. To have & to hold ye said land wth his due share of all Mines & Mineralls therein contained wth all rights and privileges of hunting hawking fishing fowling wth all Woods Waters and rivers wth all profitts Comodities and hereditamts wtsoever belonging to ye sd land unto him ye said John Battle his heires & assigns for ever in as large and ample maner to all Intents & purposes as is Expressed in a Charter of orders from ye late treasurer & Company Dated ye 18th of November 1618 or by consequence may be justly collected out of ye sum or out of the letter patents wherever they are grounded to be holden of our Sovereigne Lord ye King his heires and successors as of his Maner of East Greenwich in free and comon soccage and not in capite nor by Kt service yielding and paying unto our sd Sovereigne Lord ye King his heires and successors for every fifty acres of land hereby granted yearly at ye feast of St. Michael ye archangell ye ffee rent of one shilling wch payment is to be made yearly from year to year and ye first payment

to begin one year after ye date hereof according to his Majesties Instructions of ye 12th of 7ber 1662 Provided yt if ye sd John Battle his heires or assignes doe not seat or plant or cause to be seated or planted upon ye sd land wthin three years next ensueing that then it shall be lawfull for any adventurer or planter to make choice or seal thereupon Given at James City under my hand and seal of ye Collony ye 25th of September 1663 and in ye 15th year of ye reigne of our Sovereigne King Charles ye 2d &c.

WILLIAM BERKELEY

LAND GRANT TO JOHN BATTLE

[Colonial Land Office Records, State Capitol, Richmond, Va., Land Grants, Vol. 7, 1679-1689, p. 172.]

To all &c. whereas &c. now Know ye that ye said Sr. Henry Chickely Knt. Deputy Governr. &c. give and graunt unto John Battle five hundred and eighty acres of land, lying and being in ye upper Parish of Nansemond att a place called Kill-Mary Swamp: Beginning att a mark't white oake standing by or nigh ye said swamps side and runns' so:so:w:560 po. passing on ye southward side a great reddy branch, thence so: ea: by so: 102 po. to a mark't white oake in a reddy swamp, thence ea: by no: 248 po. crossing a great reddy branch to a mark't white oake standing by or nigh ye said Kill-Mary swamp and thence up by ye main swamp side to ye first including ye said quantity, the said land being due to ye said John Battle by and for ye transportation of twelve persons &c. To have and to hold &c. to be held &c. holding and paying &c. Provided &c. Dated 24th of Aprill 1682.

Toney, Isabel, Bostian negroes, Robt. Hubbard, Saml. Morris, Wm. Morgan, Rich'd Harrington, Tho. Skinner, David Hollingsworth, Joan Wilds, Mary Balos, Susan Monday.

REPORT OF CORONER'S JURY NOVEMBER 5, 1662

[Surry County Records, 1645-1672. Virginia State Library, Richmond, Va.]

We whose names are within written being Impannelled to find the occasion And Actual Cause of the death of William Billingsley; who uppon the 29th. of July Last went out into the woods to keepe his Masters Cattell & wee having viewed the place where his bones was found, as allsoe the said bones & his torn Clorthes, wee doe conclude, Resolve & Reporte as ffolloweth.

That in order to the occasion: wee finde: that the said William Billingsley being a servant who had beene not Long before very sick in the distemper vulgarly called Seasoninge, & being not well Recovered: was growne weake & was sent into the woods to keepe Cattell: the day above said & wee finde & reporte that through sicknesse beinge ill at ease & Inclyning to a Careless dispare, did not soe carefully In-deavor his owne preservation: as a healthyfull & contented person would have done, but by reason of the Aforesaid Condition he Remaininge In the wood night & day Partly by his weake, careless & slothful estate: & partly by feare of his masters severity: he gave himself over & continued in a swampe neare unto a runne of Water ontell hee was soe weake that hee could not helpe himselfe. As to the Actual or Instrumentall means of his Death, that he continueing without ffoode or

suckour in the woods hee remained so untell hee became a dead Corps or els soe weake that when wolves or other wilde beasts who hath now devoured all his flesh seized upon him, he was not able to make Resistance to save him selfe and so became not only dead but devoured.

Henry Bregirs	Tho. Bentley	Jno. Davis
Wm. Norwood	Samuel Swanne	Jno. Rogers
Ar. Jordan	Wm. Jordan	
Math. Battle	ffra. Gray	
Math Hoggson	Tho. Webster	
Peeter Harrison	Wm. Knott	
Jno. Gettings	Georg Jordan	

Recordat: 9 ber. 5th, 1662

DEED OF JAMES WILLIAMSON TO WILLIAM BATTLE¹

Bertie County, N. C., April 27, 1728

To all to whom these presents shall come I, James Williamson of Bertie prect. in the province of North Carolina, Send Greeting & Know yee that I the sd James Williamson for and in consideration of the sum of one Hundred and Twenty pds. Current money of North Carolina to me in hand paid or secured to be paid by William Battle of the Collony of Virginia and County of Nansemond the receipt, in hereof and therefrom, acquit, Exonerate and discharge the Sd. William Battle, his heirs, Executors, Admrs. or assigns and from every part and precl thereof forever by these presents have given, granted, bargained and sold, aliened, Enfeoffed, Conveyed, Confirmed, Assigned and set over unto the said William Battle, his heirs and assigns and by these presents do fully, freely and absolutely give, grant, bargain, sell, alien, Enfeff and Confirm unto the said, his heirs and assigns forever a certain tract of land by Estimation three Hundred Acres be it more or less, Situated, lying and being in Bertie prect. and province aforesaid beginning at the end of the line that divides between James Williamson and Jonothan Tayloe next to Roquest Swamp, so running along the said Williamson's line No. and by Et. according to the courses of the patent to a marked white oak, thence running No: 40, Et. according to the courses of the patent to a spanish oak, hiccory and dogwood, thence to the run of a branch spring out of Roquest Swamp, thence running up the branch as far as will take a red oak that is marked in the line to make it parallel with the first line so running from thence to the dividing line between the said James Williamson and Jonothan Tayloe so long the sd. line to the first Station, it being part of the patent Granted to the sd. James Williamson bearing date the 5th day of Apr. Anno Domini 1720. To have and to hold the above bargained premises with all the Appurtenances thereto belonging to the only proper use and benefit and behoof of him the sd. William Battle his heirs, Ex., Adms., and assigns forever, and that fully and freely without any the least let hindrance, Molestation, Eviction, Ejection from me my heirs, Exrs, Adms., or assigns or from any person or persons wt'soever laying any claim by from or under me. Furthermore I the said James

¹See Table 1.

Williamson Do promise and grant to and with the sd. Wm. Battle, his heirs and assigns in manner and form following, that is to say. y't I have full Power and absolute authority at and before the unsealing and delivery thereof to sell and dispose of the above bargained premises unto him the said Wm. Battle, his heirs and assigns according to the true intent and meanings of these presents aforementioned and the same with the appurtenances ag't me, my heirs, Exrs., Admrs., and Agt. the Lawful claims of any person or persons w't forever by from or under me them or any of them to the only proper use benefit on behoof of him the sd. Wm. Battle, his heirs or assigns forever, do promise to warrant and defend.

In witness whereof I have hereunto set my hand and seal at Bertie precinct province afores'd this 27th Apr. Anno Domini 1728.

James Williamson (Seal)

Signed, Sealed and delivered in the presents of

Jno. Hays
Jno. Battle
Wm. Walstone

Bertie prec. ss. May Court 1728. The above Deed of Sale was de'l by James Williamson in open Court in due form of Law, and at the same time came Philip Walstone by virtue of a Power of Attorneys from Constance Williamson proved by the oath of Phillip Walstone one of the evidences thereto and acknowledged her right of Dower in the land to William Battle which on motion is ordered to be Registered and is Registered.

Test. Edward Marshborne

Dept. Clk.

CONSTANCE WILLIAMSON TO PHILLIP WALSTONE

Know all men by these presents, yt, I, Constance Williamson do authorize and empower Phillip Walstone to appear at Bertie Prec. and there to acknowledge my right of dower in and to three Hundred acres of land sold by my husband James Williamson unto William Battle and shall be as authentick as if I had been personally present and had done the same. As witness my hand this Twenty seventh day of April 1728.

Constance Williamson

Test. William Walstone

Bertie Prec. ss. May Court 1728. The above power of Attorney was proved by the oath of Wm. Walstone in open Court in due form of law, being one of the evidences thereto it on motion is ord'd to be registered, and is registered.

Test. Edw. Marshborne Dept. Clk.

WILL OF JOHN BATTLE¹

Bertie County, N. C., April 22, 1740

IN THE NAME OF GOD, AMEN: the twentieth second day of Aprel in the year of our Lord one thousand seven hundred & fourty, I John Battle of North Carolina the County of bertie, being very sick and weak in body, but of perfect mind and memory thanks be given unto God therefore Calling unto mind the mortality of my body and knowing that it is appointed for all men once to die do make and ordain this my last will and testament that is to say principally and first of all, I give and recommend my soul into the hand of God that gave it; and for my body I recommend it to the earth to be buried in a Christian like and decent manner at the discretion of my executors nothing doubting but at the general Resurrection I shall receive the same again by the mighty Power of God, and as touching such worldly estate wherewith it hath pleased God to bless me in this, I give devise and dispose of the same in the following manner and form.

Item. I give unto my well beloved son William one tract of land lying on Catto-waskca Swompe containing three hundred and thirty acres which I bought of John Brown, to him and his heirs forever.

Item. I give unto my well beloved son Jese Battle one Negro boy named Toney and all so my Joyners and turners tooles.

Item. I lend unto my well beloved wife one negro man named Pompey during her natural life, and if in case that the child that she now goes with is a son then unto him, and if not then to *that*, and my two daughters Prissila Battle and my daughter Sarah Battle my Will and desire is that all the rest of my moveable estate shall be equally divided into three parts at the discretion of William Battle my brother, John Brown brother unto my wife and Mr. James Denton, wher of one parte I give unto my well beloved wife Sarah Battle and the other two to be equally divided betwext my children William Battle, Jesse Battle, Prissila Battle and Sarah Battle and that child that my wife now goes with and I do appoint my well beloved wife Sarah Battle and my brother William Battle Executors and Exeekcotrix unto this my last will and testiment in witness where of I have here unto set my hand seals the Day and year above written.

J. Battle (Seal)

Signed, sealed, published, pronounced and declared by the said John Battle as his last will and Testament in the presence of the Subscribers.

his	}	Jurat 1st, 2nd, 3
William X Knight.		
mark		
his		
James X Griffen		
mark		
her		
Martha X Knight		
mark		

¹See Table 2.

The word lend interlined instead of give before assined and all so ye word wife.
 [Note] Ye Testator was Born April 30th 1709, and died April ye 30th 1740.

This is the last will and Testament of John Battle.
 Bertie Co.—ss. May Court 1740.

The above written will of John Battle was proved in open court by the oaths of William Knight and James Griffen Two of the subscribing witnesses thereto and at the same William Battle and Sarah Battle Excers. therein named took the Excers. Oath by Law Required.

Test.—John Wynns, Clk: Crt.

[Endorsement] John Battles will, 1740. Letters issued 9 ber ye 4th, 1740.

J. Craven.

D. S. Recorded.

DEED OF SAMUEL HOLLIMAN TO ELISHA BATTLE¹

Edgecombe County, N. C., Aug. 17, 1747

This Indented Deed of Bargain and Sale made this 17th. day of August in the year of our Lord Christ one thousand seven hundred and forty seven, Between Samuel Holliman of Edgecomb County in the Province of North Carolina, Planter of the one part and Elisha Battle of the upper Parish of Nansemond County in the Colony of Virginia, Planter of the other part. Witnesseth that the said Samuel Holliman for and in consideration of the sum of Fifty pounds current money of Virginia, already in hand paid by the said Elisha Battle, the receipt of which said sum the said Holliman doth hereby acknowledge and himself thereof fully satisfied. Have granted, aliened, bargained and sold and by these presents do bargain, alien, sell, sett over and deliver unto the said Elisha Battle his heirs and assigns forever one tract or piece of land in Edgecomb County and Province of North Carolina (to wit) four hundred acres of land which was taken up and patented and granted to the said Samuel Holliman May the 6th. in the year 1742, which said land lying on the North side of George Pollocks purchase Patent according to the bounds thereof (to wit) Beginning at a marked Red Oak in the said Pollocks line thence running No. 7, W 162 Poles to a Gum, thence So. 83, W. 395 Pole to a Pine, thence So. 7, Et. 132 Pole to a Elm in the said Pollock's line, thence along the said line N. 83, Et. 395 Pole to the first station which said parcel of land will and may appear together with all and singular the lands tenements, profits, commodities and hereditaments thereon or thereunto belonging or in any wise appurtenanting and all singular the Reversion and Reversions remainder and remainders and also all the Estate, right, Title and Interest, use, possession, claim and demand whatsoever which by the said Samuel Holliman now hath may might or ought to have of in and to the sd. bargained premises. To have and to hold the said bargained premises to the said Elisha Battle his heirs and assigns forever and to the only proper use, benefit and behoof of him the said Elisha Battle his heirs and assigns forever with all

¹See Table 1.

woods, Timber and Trees Marshes, Lowgrounds swamps, water and water courses with all Edifices, houses, outhouses, gardens, orchords, and all other the profits and benefits thereunto belonging or in any wise appertaining and the said Samuel Holliman for himself his heirs, Executors and Admrs, doth quit claim in and to the said bargained premises or any part thereof and the said Samuel Holliman for himself his heirs, Exrs, Admrs doth hereby covenant with the said Elisha Battle his heirs, Exrs, Admrs, and assigns, that notwithstanding any act or acts by him the said Holliman heretofore done he the said Holliman hath lawful, rightful power and authority to grant, alien and sell the said bargained premises to the said Battle, his heirs and assigns and that he the sd. Holliman at the making of this Indenture stands seized in the sd. Land of a pure and good Estate in fee simple and the said Holliman doth further covenant with the said Battle his heirs and assigns that the said Land and premises is fully and freely acquainted and discharged of and from all Incumbrances whatsoever and the said Holliman his heirs &c at any time hereafter will make or cause to be made unto the said Battle his heirs and assigns as their council learned in the law shall advise or devise for their better security thereof. In witness whereof the said Holliman doth hereunto sett his hand and seal the day and date first above written.

Samuel Holliman (Seal)

Signed, sealed and delivered in the presence of Jacob Sumner, Joseph Sumner, Edgecomb County, August Court 1747.

The within deed of sale was in open Court proved by the oath of Jacob Sumner and of the subscribing witnesses thereto and is ordered to be registered.

Test. Robert Foster, Clk. Cr.

Rec'd the 17th. day of August 1747 from Elisha Battle the sum of Fifty pounds in full of the consideration money in this and mentioned pr me.

Samuel Holliman.

I, J. H. Nunn, Register of deeds in the County of Halifax and State of North Carolina, do certify that the fore going deed of conveyance is a true and exact copy of the deed from Holliman to Battle. Rec'd in Book 3, Page 139.

In witness whereof I hereunto set my hand and official seal this 23 day, March 1903.

J. H. Nunn.
Register of Deeds.

CATTLE MARK REGISTRATION OF ELISHA BATTLE¹

[General Court Records, Aug. 19, 1755.]

A square in the underside of right ear and a slit in the end of the left and a half moon under it.

INDENTURE BY EARL GRANVILLE TO ELISHA BATTLE¹

Edgecombe County, N. C., Dec. 10, 1760

This Indenture made the tenth day of December in the year of our Lord one thousand seven hundred and sixty between the Right Hon. John Earl Granville Viscount Carteret and Baron Carteret of Hawnes in the County of Bedford in the Kingdom of Great Britain, Lord President of his Majesty's most Honorable Privy Council and Knight of the most Noble Order of the Garter of the one part and Elisha Battle of Edgecomb County in the Province of North Carolina Planter of the other Part, whereas his most Excellent Majesty King George the Second in and by a certain Indenture, Bearing date the seventeenth in Eighteenth year of his Reign and in the year of our Lord one thousand seven hundred and forty four and made between his said most Excellent Majesty of the one Part and the said John Earl Granville by the name, stile and Title of the Right Honorable John Lord Carteret of the other Part did for the consideration therein mentioned give and grant, Release, Ratify and Conform unto the said Earl by the name, stile and title of John Lord Carteret as aforesaid and his heirs and assigns forever a certain District, Territory or Parcell of Land lying in the Province of North Carolina in America and all their Lands, Creeks, Havens, Ports, Rivers, Streams and other Royalties, franchises Priviledges and Imunities within the same as they are therein sett out or Described allotted granted and conformed to the said John Earl Granville as aforesaid for one Eight Part of the Charters granted by King Charles the Second in the Fifteenth and Sixteenth year of his Reign to Eight Lords Proprietors of Carolina as by the said Indenture duly enrolled in the High Court of Chancery in Great Britain and in the Secretarys office of the Province of North Carolina, Reference being thereto had will more fully appear. *Now this Indenture Witnesseth* that as well for and in Consideration of the Sum of ten Shillings Sterling money to the said John Earl Granville in hand paid by the said Elisha Battle at or before the sealing and Delivery of these parts at the Receipt thereof he the said Earl Granville doth hereby acknowledge as also for and in consideration of the Rents, Covenants, Exceptions, Provisoos and agreements herein after mentioned, Reserved and Continued and by and on the Part and Behalf of the said Elisha Battle his heirs and assigns to be Paid, Kept and performed he the said Earl hath given, granted, bargained, sold and confirmed and by these Present doth give grant, Bargain, Sell and Confirm unto the said Elisha Battle his heirs and assigns forever all that tract or Parcell of Vacant Land situate Lying and being in the Parish of Saint Mary's in the County of Edgecomb in the said Province, Beginning at a Pine said Battles Corner then by the Line N. 83, E. 130 Pole to a Gum another of said Battles Corner then N. 220 Pole to the Center of 2 Pines and a White Oak in Joseph Sumners Line then by said Line Wt. 320 Pole to a

¹See Table 1.

Red Oak then So. 280 Pole to an Ash in the Bare Pond, then E. 270 Pole by another of said Battles Lines to the Corner, then S. 112 Pole to the first station Containing in the whole six hundred and ninety nine acres of Land. All which premises are more Particularly Described and Sett forth in the plan of Map whereof hereunto Annexed together with all woods, underwoods, Timber and Timber trees, water courses and Privileges of Hunting, Hawking, Fishing and Fowling in and upon the Premises and all the mines and minerals whatsoever therein to be found Excepting and always Preserving out of this Present Grant unto the King most Excellent Majesty heirs and successors one forth part of all the Gold and Silver mines to be found in and upon the premises and also Excepting and always Preserving unto the said John Earl Granville his heirs and assigns one moiety or half Part of the Remaining three fourths of all such Gold and silver mines to have and to hold the said tract or Parcell of Vacant Land and all and singular of the Premises with their Appurtenances (Except Before Excepted) unto the said Elisha Battle his heirs and assigns forever yealing and paying therefore yearly and Every year unto the said John Earl Granville his heirs and assigns the yearly Rent or Sum of twenty Eight Shillings which is at the rate of three Shillings sterling for every Hundred acres and so in Proportion for a Less Quantity at or upon the twenty fifth day of March and the twenty fifth day of September in every year by even and equal portions and to be paid at the Court House of the said County of Edgecomb unto the said Earl his heirs or assigns or to his or their Lawfull Attorney or Receiver for the time being, the first Payment thereof to be made on such of the afore mentioned days of Payment as shall first happen after the date hereof and the said Elisha Battle for himself, his heirs and assigns and for either and every of them doth hereby covenant, Promise and agree to and with the said Earl, his heirs and assigns and to and with either and every of them by these Presents. In manner and form following, that is to say that Elisha Battle, his heirs and assigns shall and will yearly and for every year for ever will and truly Pay or cause to be paid unto the said Earl, his heirs or assigns or unto his or their Lawfull Attorney or Receiver for the time Being on the days at the Place aforesaid the aforesaid year Rent or sum of twenty eight shillings by half yearly Payments as aforesaid Provided, always and this Present grant is hereby expressly Declared and agreed by and Between the said Parties to be nevertheless upon this Condition, viz. that if it shall happen that the said year Rent of twenty eight shillings or any Part thereof shall at any time hereafter behind or unpaid for the space of six months next over or after the aforementioned Days of payment and no sufficient Distress can be found on the Premises whereon it shall be Lawful to levy such Rent and arrears with the full Costs Charges and Expense in making the same, that then this Present grant and all assignments thereof shall be utterly void and of none effect and shall be Lawful for the said Earl, his heirs or assigns to Re-enter unto the said Land and to Regrant the same to any other Person or Persons whomsoever as if this grant and such assignments had never been made.

In Witness whereof the Parties above named have to these Presents interchangeably set their hands and seal the day and year herein first above written.

Granville by Thomas Child (Seal)

Be it remembered that on the day and year first above written Thomas Child Esquire by virtue of a special letter of Attorney and Commission under the hand and seal of the above named John Earl Granville, to him made for this Purpose and

duly entered and registered in the Secretarys office of North Carolina did in the name of the said Earl Subscribe this grant with the said Earls title and then seal and Deliver the same as his the said Earls act and deed in the Presents of us,

W. Lucas
J. Montfort

Hallifax, Sept. 8. 1761.

The above Deed was Duly Proved before me by the Oath of Joseph Montfort one of the subscribing witnesses thereto,

Stephen Dewey. J. S. C.

Let it be Registered,
Stephen Dewey, J. S. C.

WILL OF JOHN BATTLE¹

Edgecombe County, N. C., January 22, 1774

IN THE NAME OF GOD, AMEN: I John Battle of the County of Edgecomb and Province of North Carolina being weak in body but of sound and perfect memory, do make this my last will and Testament in manner and form following, that is to say.

Imprimis. I give and bequeath to my son William Battle one hundred and forty acres of land and plantation thereon lying on the North side of Swift Creek (it being the Land that I bought from Thos. Floyd) also a negro fellow named Dick, a negro woman named Tiney and four children to wit, Stephen, Davie, Viney and Frank, to him his heirs and assigns forever.

Item. I give and bequeath to my son John Battle, a negro fellow named Joe, a negro woman named Aggy, a negro Boy named Ned, a negro girl named Creasy and 1 Bed and furniture, to him his heirs and assigns forever.

Item. I give and bequeath to my son James Battle a negro fellow named Nat, a negro woman Sue, a negro boy named Moses and a negro Boy named Balaam and a feather bed to him, his heirs and assigns forever.

Item. I give my said son James Battle a negro girl named Patunia, to him, his heirs and assigns forever.

Item. I give and bequeath to my said son William Battle a negro man named Sam, two negro women Lucy and Jinny (provided he allows my daughter Sarah Battle a sufficient maintenance for life) to him, his heirs and assigns forever.

Item. I give and bequeath to daughter Amery Bell, one hundred Pounds procl. a Bed and furniture to her, her heirs and assigns forever.

Item. I give and bequeath to my said son John Battle a Negro boy named Isaac to him, his heirs and assigns forever.

Item. I give and bequeath to my said son William Battle, a negro fellow named Robin, a negro woman called Judy, a Sorrell horse, bridle and saddle to him, his heirs and assigns forever. also I give my said Wm. Battle a negro woman known by the name of young Judy (provided he maintains my Sister Elizabeth Battle for

¹See Table 74.

and during her life in a sufficient manner free from want) to him, his heirs and assigns forever.

Item. I give to John Battle (son of my said son John Battle) one hundred and forty five acres of Land and plantation lying on the south side of the poplar swamp in Sussex County, Va., and a negro Boy named Charles to him, his heirs and assigns forever.

Item. I give to my grand-son Ephraim Battle, thirty pnds. procl. money to him and his heirs.

Item. I give to my said son William Battle all my Hoggs to him, his heirs assigns forever.

The remainder of my Estate I give equally among my five children (to wit) William Battle, James Battle, John Battle, Amery Bell and Sarah Battle, I do constitute and appoint my son William Battle and my trusty friend William Hill Executors to this my last will and testament. In witness whereof I have hereunto set my hand and seal this 22nd. day of January, Anno Domini, one thousand seven hundred and seventy four.

John Battle (Seal)

Signed, sealed and acknowledged
by the said John Battle as his last
will and testament.

W. S. Meares.

Jas. Battle.

Fra. Tompson.

Edgecomb County:

The within will was in open Court exhibited by the Executors and proved by the oath of James Battle and Francis Thompson two of the subscribing witnesses there-to and at the same time the executor therein named was Qualified according to Law ordered that the same be certified and the will Recorded.

Test.

Edward Hill. C. C.

WILL OF WILLIAM BATTLE¹

Hertford County, N. C., Dec. 2, 1778

IN THE NAME OF GOD, AMEN: I William Battle of North Carolina & County of Hertford being sick and weak of body, but in perfect mind & memory, thanks be to God for the same and calling to mind the mortality of my body & knowing it is appointed for all to die, do make and ordain this my last will & Testament. Principally & first of all, I recommend my soul to Almighty God & my body to the grave to be buried in a christian like manner at the discretion of my Executors and as touching such worldly estate, which it has pleased God to bless me with in this life, I give in the following manner and form.

Imp. I give to my loving wife Martha Battle the uses of my Plantation & Buildings where I now live, containing two hundred acres, bounded as follows: Beginning at the North of the Watery Branch & running up the same Branch to Thomas Gregories Corner Tree from thence a straight line to the head line of my land as

¹See Table 2.

far as will contain two hundred acres & from that straight line to Buckhorn Swamp, thence down the said swamp to the first station my griss mill excepted, with the appurtenances during her natural life, also two slaves, viz. Seasar & Hannah during her natural life and then they & their increase to be equally divided among all my children, also I give to my loving wife Martha Battle one horse, five cows and calves, also six sheep, fifteen head hogs, also twenty geese, also two fether beds & furniture, also four chairs, one large iron pott, six pewter plates, four dishes, six spoons, one case nives & forks, also all my earthen & glass ware, also one table, also one third part of my spinning & weaving untencils to her & her heirs forever.

Item. I give to my son John Battle the plantation & land whereon Thomas Page lived, joining on Chowan River, also the upper part of the land that was formly Mathew Williams with as much of the upper of the land that was formerly Nathaniel Carys as will make five hundred & fifty five acres in the whole of his tract, also one Negro boy, Sam, also one still to him & his heirs forever.

Item. I give to my son Jesse Battle the plantation and land lying in Nanceymond County on Knottaway River formerly the property of John Glover, also part of the tract which formerly belonged to Solomon Williams, lying on Buckhorn Swamp so as to make in all his tract five hundred & fifty five acres, also one Negro boy, Cato, to him and his heirs forever.

Item. I give to my son James Battle my griss mill and all the remainder of my lands whereon I now live, together the two hundred acres that I have given to my wife during her natural life, also one Negro boy Tom, to him and his heirs forever.

Item. I give to my daughter Sarah Battle one Negro girl Vilet, also an equal portion of all my house & kitchen furniture after my wifes part is taken out, to her & her heirs forever.

Item. I give to my daughter Mary Battle one Negro girl Lucy, also an equal part of all my house & kitchen furniture, also an equal part of all my stock of cattle, sheep, hogs & horses, to her & her heirs forever.

I give to my daughter Elizabeth Battle one Negro girl Agatha, also an equal part of all my house & kitchen furniture, also an equal part of all my stock of cattle, sheep, hogs & horses, to her & her heirs forever.

I give to my daughter Martha Battle one Negro girl Liddia, also an equal part of all my house & kitchen furniture, also an equal part of all my stock of cattle, sheep, hogs & horses to her & her heirs forever.

I give to my child yet unborn, or named the money that may arise from the sail of a certain tract of land lying in Cottowesky Swamp which I leave to be sold at publick vandue by my executors for the use of the child, also an equal part of all my stock of cattle, sheep, hogs & horses to the use of it & its heirs forever. As for all the residue of my estate be it in any kind of quality whatever, I give to be equally divided amongst all of my children to them and their heirs forever.

I desire that all my house and kitchen furniture and all my stock of cattle, sheep, hogs & horses after the legacy which I have given my wife Martha Battle is paid, to be equally divided amongst all my children to them and their heirs forever.

My will & desire is that the part of my estate directed to be divided by this my last will & testament shall be set apart and divided by Executors at their discretion and that my children's estate may remain in the hands of my Executors and continue on my sons lands & the profits of which are a sufficient part thereof applied to the maintenance and schooling of my children. I do hereby appont my worthy friends Thomas Gregorie & John Battle of the county of Hertford and James Norfleet of

Nancemond County my whole & sole Executors to this my will & testament. In witness whereof I the said William Battle have hereunto set my hand and seal this 2nd. day of December in the year of our Lord Christ 1778.

Signed, Sealed, Published
and declared in presence of

William Battle (Seal)

Jas. Mony

his

Joseph X Hare

mark

Hardy Horn

his

John X Thorn

mark

Proved Feb. 1779

Winton, Hertford Co.

GRANT OF LAND BY THE STATE OF NORTH CAROLINA TO
WILLIAM BATTLE¹

Nash County, N. C., Nov. 10, 1779

[No. 93.]

To all to whom these Presents shall come, Greeting: Know ye that we for and in consideration of the sum of Fifty Shillings for every hundred acres hereby Granted, Paid into our Treasury by William Battle have Given and granted and by these Presents do give and grant unto the said William Battle a tract of Land Containing six hundred and forty acres lying and being in our County of Nash on the North side of Swift Creek. Beginning at a pine in Crowman's Line thence running along said line North, forty five degrees East. Two hundred and Twenty poles to Gideon's Swamp and his own line, thence along his own line North forty five degrees West. Twenty Pole to a white oak, thence along his own other line North forty five degrees, East, Eighty Two Pole to a white oak thence West Twenty four pole to Peter Anderson's line thence Anderson's line South Eighty Pole to a red oak his corner thence his other line North Sixty seven degrees West one Hundred and Twenty seven Pole to a pine thence along his other line North Twenty Degrees East one Hundred and four Pole to a Hickory, Thomas Davis's corner thence Davis' line West one Hundred and Sixty Pole to a red oak his corner thence continuing West three Hundred and thirty Pole to a stake thence a dividing line South forty Eight Degrees, East, Five Hundred and forty Two Pole to the beginning as by the plot hereunto annexed doth appear together with all woods, waters, mines, minerals hereditaments and appurtenances to the said land Belonging or appurtenant to hold to the said William Battle his heirs and assigns forever, Yielding and paying to us such sums of money yearly or otherwise as our General assembly from time to time may direct. Provided always that the said William Battle shall cause this grant to be Registered in the Register's office of our said County of Nash within

¹See Table 76.

Twelve months from the date hereof, otherwise the same shall be Void and of no Effect. In Testimony whereof we have caused our Great seal to be hereunto affixed.

Witness Richard Caswell Esquire our Governor Captain General and Commander-in-chief at Kingston the Tenth day of November in the fourth year of our Independence and in the year of our Lord one Thousand seven hundred and seventy nine.

By His Excellency's Command,

R. Caswell (Seal)

J. Glasgow Sec.
Nash County,
April 20th 1781

The above Grant is Registered in the Registers office of said County.

Test. Wm. Hall, P. R.

This is a true Copy from Record by L. P. Ellen, P. R.

WILL OF THOMAS BATTLE¹

Onslow County, N. C., Aug. 11, 1788

IN THE NAME OF GOD AMEN: I Thomas Battle of the State North Carolina Onslow County being Weak in body but of Sound and perfect memory do make this my Last Will and Testament in manner and Form Following this is to say Item First I Recommend that all my just Debts and Funeral Expences be satisfied and paid out of my Estate

Item. I lend unto my beloved Wife Ann Battle one half Plantation Whereon I now live for and during her natural Life including the house wherein I now Live I also lend unto my wife one Negro Wench named Big Rachel for the Term of Ten Years Provided the Two First living Children she shall have in that Term of Time to be supported by her Labor Till they come to the age of Five years-

Item. I Give and Bequeath unto my Beloved Wife Ann Battle one Negro Boy named David also one Negro boy named Lewis also one Mare Colt Fannie her saddle and bridle also one horse Colt Suesper also Two cows and Calves Two Cows and yearlings one Two year old Stear one Two year old Bull also Five Sows and Shoats such as my Wife Shall Chuse out of my Stock also Two Beds, Bed Hides Cords & Furniture as they now stand also all my Plantation tools and Household Furniture Except such as I Shall hereafter Bequeath away her her heirs and assigns for Ever- Item. I give and Bequeath unto my Beloved Son Benjamin William Battle the Plantation that I bought of William Webb also Being Straight Line from the Well Corner to the Fork of the Branch thence running up the various corners of that between the Two old Fields to Danul Humphry Line and all the Land in that Fork of the Branch to Samuel Ashe Line thence down Ashe Line to the said Webb Line be it more or Less also one Negro Boy named Cupit one named London one Girl named Little Rochell one Mare colt Nance One Cow and Calf Two Two year old Hiefers one year old Hiefer one Bed and Furniture to him his Heirs and assigns for Ever-

¹See Table 74.

Item. I Give and Bequeath unto the Child that my Wife is now big with if it be Boy the Plantation Whereon I now Live with all the Land thereunto Belonging Except that part I have Lent unto my Wife he is not to be Processt with it Till after her Death if the Child my wife is now big With Should be a Girl I Lend it that half of the Plantation that I have not Lent my Wife to Raise and Support her Till my Son Benjamin arrives to age or Marriage At that time my Son Benjamin is to Process that half that is not Wil to his Mother the other half he is not to Process till her Death the Child my wife is now big with be Either Girl or boy I Give & Bequeath unto it one negro Girl named Agg one negro boy named Cuffee also one that James Gun owes me Living in the State Georgia Burke County of the age Ten years which I have his note for also the Two First living Children that my Negro Wench named big Rachel Shall have in the time of the Ten Years that I have already Lent to my beloved Wife also one bed and Furniture to it its heirs and assigns for Ever-

Item. I Give and Bequeath unto my beloved Wife Ann My Negro Wench named big Rachel after the Term of the Ten Years that I have already lent and other ways Disposed of to her her heirs and assigns for Ever-

Item. In Case the Child my wife is now big with be Either Boy or Girl and should Die not leaving Lawful Issue all the Person Estate to be Devided between my Loving Wife and my Son Benjamin and the other third to my beloved wife to them their heirs and assigns for Ever-

Item. Provided my Son Benjamin William Battle Should Die not leaving Lawful Issues then I Give and bequeath unto my Loving Nephew Thomas Battle Son of Ephraim Battle that part and parcel of Land that I Give Devise and bequeath to my Son Benjamin to him his heirs and assigns for Ever-

Item. I also leave Five hundred acres of Land that I have Lying in Georgia Burke County beginning on Witches Spring Branch to be sold at the Discretion of my Executors and the Money Rising there from be applied towards Discharging of my Debts—also I leave my negro Fellow Antony to be sold at the Discretion of my Executors and the Money be applied to the Discharging my Debts with what Money I have Due me also be applied towards Discharging my Debts

Item. As For my Executors I do Constitute and appoint my Loving Brother Ephraim Battle My beloved Wife Ann Battle Executors my Brother in Law Henry Gregory and my Trusty Friends Obed Williams and Lot Williams to this my Last Will and Testament in Witness hereof I have hereunto Set my hand and Fixed my Seal This Eleventh Day of August in the year of Lord one Thousand Seven hundred and Eighty Eight-

Thos. Battle

(Seal)

Witness

Bryan Williams

—— Barrow

Obed Williams—Jun'r

DIVISION OF LANDS OF WILLIAM BATTLE¹

Nash County, N. C., May 15, 1792

NASH CO. }
NORTH CAROLINA }

We the subscribers being appointed together with John Jones by the worshipful Court of Nash County to divide and appropriate the Real Estate of Wm. Battle Dec'd among his Heirs at Law to Wit. Jas, Wm and John Battle having met on the premises do Divide and appropriate the said Real Estate in the following manner to wit:

We allot and appropriate to the use of the said Jas. Battle four hundred and fifty acres of Land for his part and dividend of the said Real Estate lying on the south side of Swift Creek beginning at a persimmon tree on the said Creek thence running a line of marked trees to the patent line, thence the patent line to the head of a small Branch thence down said Branch to the patent line to the Steep Hill Branch thence the meanders of the said Branch to the Creek and thence the various courses of the Creek to the first station with the appurtenance thereto belonging in Nash County aforesaid.

We also allot, Divide and appropriate to the use of the said William Battle as and for his share and dividend of the said Real Estate three hundred and sixty four acres of land lying on the North side of Swift Creek beginning at a red oak running thence N. 45. W. 280 ps. to a corner White oak thence So. 14. W 340 ps. thence So. 14. E. 50 ps. to a corner Hickory at the mouth of the Branch at the creek and thence to the beginning, and also a tract of six hundred and forty acres of land granted by the State to the said William Battle Dec'd. by grant bearing Date the 10th Day of November in the year 1779, as will more fully appear by a description thereof in the said grant reference being thereto had with the appurtenances in the said County of Nash.

We do further allot, divide and appropriate to the use of the said John Battle four hundred and twenty two acres of Land for his share and dividend of the said Real Estate lying also on the North side of Swift Creek beginning at the Hickory running thence N. 14, W. 50 ps., thence No. 14, E 340 ps, thence So. 50 ps., thence E. 286 P. to a corner black Jack, thence 46 W, 180 p. to a corner Hickory, thence So. 14 W. 140 p. to a corner Hickory on Swift Creek and thence to the beginning with the appurtenances in Nash County aforesaid.

All which Divisions and Appropriations will more fully appear by the several plats thereof annexed.

We do further determine and agree that the said James Battle pay to the said John Battle the sum of one hundred and forty nine pounds and theirten shillings and 10d. specie, as and for the Difference in value of the Lot assigned to the said James, and that assigned to the said John as aforesaid and that the said James also pay to the said William Battle the sum of Two pounds and seventeen shillings and 2d. specie as the difference aforesaid between their two several Lots as aforesaid as

¹See Table 75.

per a valuation and estimate of the said Real Estate made by us and hereto annexed and agreeably to the Act of Assembly in such cases made and provided.

Given under our hands and seals this 15th day of May 1792.

Nash County, May Term 1792.	Frances Ward	(Seal)
The within Instrument was	George Gardner	(Seal)
Exhibited in open Court and the	Edmund Drake	(Seal)
Report thereof being made according	Wm. Avent	(Seal)

to Law was ordered to be Recorded and is recorded.

Test. Wm. Hall C. C.

Test. Wm. S. Mearns P. R.

[Deed Book 4, page 147.]

DIVISION OF LANDS OF WILLIAM BATTLE¹

By order of the Justices of Nash County, North Carolina State and full Court, we the undersigned subscribers agreeable to an order of the said Court, have valued the Lands of the best of our judgment of the Estate of Mr. William Battle and determine as follows—viz:

			£	s.	d.
To Mr. James Battle	450 acres @ 35 s.		810		
To Mr. William Battle	364 " " 22 s.-6d.		409	10	
" " " "	640 " " 3/4s.		170	13	4
" " John "	422 " " 18s.		379	16	
			1769	19	4

Of the above Mr. James Battle exceeds Mr. John Battle £ 210 3s. 9 1/2d.
 " " William 9 16s. 5 1/2d.

Registered by order of the Court the
 31st day of Nov. 1831

Attest Jno. G. Blount

Hardy Griffin James Drake
 Matt Drake Thos. Whitehead

WILL OF ELISHA BATTLE²

Edgecombe County, N. C., Feb. 6, 1799

February the 6th day Anno Domini One thousand Seven hundred and Ninety Nine, I Elisha Battle of the State of North Carolina and County of Edgecomb do Constitute make and Ordain this (which follows) to be my last Will and Testament. And I give devise and dispose of my Worldly estate in the following manner & form (to wit).

First. I give and bequeath to my daughter Elizabeth Crudup two Negro's Named Venus and Sikey and their increase formerly given unto her possession, and two hundred and twenty five dollars to her, her heirs and assigns forever.

¹See Table 75.

²See Table 1.

Item. I give and bequeath to my Grand daughter Cloe Lee, two negroes Named Cato and Hardy given into the possession of her father to her, her heirs and assigns forever, Provided that if her father should die without a Will that the said two negroes shall be counted in the division of his estate and go towards her part.

Item. I give and bequeath to my Son Elisha Battle all the Negroes with their increase and other things which I have given into his possession to him his heirs and assigns forever.

Item. I give and bequeath to my Son Jacob Battle all the Negroes with their increase and other things which I have given into his possession to him his heirs & assigns forever.

Item. I give and bequeath to my Son Jethro Battle all the Negroes and other things and their increase including Toney and Daniel, and their increase which I have given into his possession to him his heirs & assigns forever.

Item. I give and bequeath to my Son Demsey Battle all the Negroes and their increase and other things which I have given into his possession including Ben and Luke to him his heirs & assigns forever. I also give and devise to my Son Demsey Battle my part of the plantation and land which I and my two Sons Jacob and Jethro Battle leased of Elias Fort during the term of said lease.

Item. I give and bequeath to my Grand son Isaac Battle one Negro boy Named Harry and Sixty Silver dollars to him his heirs and assigns forever, which said Negro is given up to said Isaac Battle.

Item. I give and bequeath to my Grand son Joel Battle one Negro boy Named Bob and fifty Silver dollars to him his heirs and assigns forever.

Item. I give and bequeath to my Grand daughter Ann Ross one Negro girl Named Doll and sixty Silver dollars to her, her heirs and assigns forever.

Item. I give and bequeath to my Grand daughter Mary Andrews' three children (to wit) Jesse Andrews, John Andrews and Elizabeth Andrews one hundred Silver dollars each, to them and their heirs and assigns forever.

Item. I give and bequeath all the remaining part of my estate to be equally divided amongst my five children (to wit) Elizabeth Crudup, Elisha Battle, Jacob Battle, Jethro Battle and Demsey Battle, Provided that my Daughter Sarah Horns Six Children (to wit) Jeremiah Hilliard, Elizabeth Fort, Piety Fort, Charity Bunn, Seely Suggs and Henry Horn, Come in for one equal share with my five children to be equally divided amongst them and also provided that my Son John Battle's three children (to wit) Josiah Battle, Davis Battle, and Elisha Battle come in for one equal share with my four sons and one daughter and my daughter Sarah Horn's children to be equally divided amongst them. Provided also that my Grand daughter Mary Andrews' three children (to wit) Jesse Andrews, John Andrews and Elizabeth Andrews have One hundred dollars out of my son John Battle's childrens share, to be equally divided amongst them, to them, their heirs and assigns forever.

My will and desire is that my estate be sold or dividèd by my executors at their own discretion.

It is not intended that the debts which any of my children or Grand children may be owing me at the time of my death shall be included in their legacy. I do hereby constitute and appoint my four Sons, Elisha Battle, Jacob Battle, Jethro Battle and Demsey Battle my Executors of this my last Will and Testament and I do hereby

revoke and disannul all others. In witness whereof I have hereunto set my hand and seal,

Signed Sealed Published
and declared to be my
last Will and Testament
in presence of
Nathan Gilbert
Joseph Sumner
Duke Wm Sumner.

Elisha Battle (Seal)

Edgecomb County- May Court 1799.

The within Will of Elisha Battle dec'd was proven in open court by the oaths of Nathan Gilbert and Duke Wm. Sumner two of the subscribing witnesses thereto, and Jacob Battle one of the executors therein named at the same time qualified there-to according to law. Ordered that the same be certified and the Will Recorded.

Test.

Edward Hall, Clk.

WILL OF WILLIAM FORT¹

Robertson County, Tenn., Nov. 18, 1801

IN THE NAME OF GOD AMEN:

I, William Fort, of Robertson County, State of Tennessee, being weak in body yet of sound and understanding memory, do constitute this my last will and testament, and desire it may be received by all as such.

Item: I leave unto my loving wife, Elizabeth Fort, one fifth of all the plantation whereon I now live with one fifth of the charges of the grist mill and saw mill in lieu of her right of dower in these lands during her natural life. I give and bequeath unto my loving wife, Elizabeth Fort, one negro man named David, one negro girl named Rose, two beds and furniture her riding mare named Solon and her bridle and saddle, also one horse named Darb, one eighth of all my plantation utensils. Three cows and calves, and my wearing apparel, one large seal skin trunk, also one eighth or all of my stock (cattle and horses excepted) also the money which she has in her possession which has derived from the estate of her father and mother, dec'd.

Item: I lend the use of my negro woman named Rachel to my loving wife Elizabeth Fort during her widowhood, increase excepted. My will and desire is that all the residue of my estate, both real and personal, be continued in the hands or possession of my executor hereinafter mentioned under the following restrictions, that the residue of my estate above mentioned be kept with a joint stock with all the property therefrom (necessary expenditures of my executors excepted) until my oldest child comes of age, then to be equally divided according to quantity and quality so that he or they shall receive a proportionable part of my estate and so in proportion with all my children hereinafter named until my youngest child arrives to lawful age or at the time he or they should have had or arrived to lawful age, if they should die sooner, the residue of my estate as above described, if any remains, to be equally divided among all children to-wit: Jeremiah H., Sarah, James, Wm. A., Jacob, Josiah, Mary Fort, the above described premises with all the appurtenances

¹See Table 27.

thereunto belonging. I give and bequeath unto my aforesaid children, to them, their heirs and assigns for ever.

Lastly: I constitute and appoint my trusty and well beloved friends hereinafter named my true and lawful executors to execute this my last will and testament, revoking, cancelling and making void all other will or wills by me made or cause to be made, to-wit: Jeremiah Hilliard of North Carolina, Andrew Jackson of Tennessee, Isaiah Fort, Joseph Wimberly, Elias Fort, Sugg Fort and all my sons as above named.

In witness I set my hand and fix my seal this the 18th day of November in the year of our Lord one thousand, eight hundred and one.

Wm. Fort (Seal)

Signed, sealed and acknowledged in the presence of us,

test,
Sam'l. Steele,
David Smith,
Thos. Morton.

This will was proven in open court at January term, 1802, by the oath of David Smith and ordered to be recorded.

[Will Book No. 1, page 78.]

Test, Thos. Johnson, Clerk.

MARY BATTLE'S DOWER¹

Agreably to the above annexed order. We the subscribers being summoned as Jurors to lay off the Dower of the said Mary Battle, widow of the said William Battle dec'd. have met on the premises the 8th day of October 1804 together with Samuel Smith Surveyor of the County aforesaid and proceeded to business and on the 10th day of the same month do agree that the Dower of the said widow shall be laid off and is therefore laid off by the said Samuel Smith Surveyor in our presence in manner and form following, Viz:

Beginning at a red oak on the North side of Swift Creek above the mouth of Gideon's swamp thence So. 50, Wt. 156 po. to a white oak and bunch of black Gums thence No. 3, Wt. 160 po. to a post oak bush in the original line thence No. 45, Et. 315 po. to a white oak a corner at the edge of Philip Moodey's old field thence with Williams Chambliss' line of marked trees to the head of the Stoney Branch thence down the s'd branch to the creek thence up the creek to the first station containing Three hundred and Sixteen acres, this given under our hands and seals this day and date above written.

John Harrison	(Seal)	Henry Hines	(Seal)
George Gardner	(Seal)	James Hilliard	(Seal)
Benjamin Drake	(Seal)	William Bridgess	(Seal)
Wm. Avent	(Seal)	William Chambliss	(Seal)
Jordon Bass	(Seal)	Benjamin Boon	(Seal)
Peter Arrington	(Seal)	Elias Boon	(Seal)

Registered under order of Court the 22nd day of November 1831.

Attest.

Jno. G. Blount. P. R.

¹See Table 76.

DIVISION OF NEGROES OF WILLIAM BATTLE¹

Nash County, N. C., Feb. 10, 1806

At a meeting held the 4th of January 1806 at the late dwelling house of William Battle dec'd for the purpose of carrying the above order into effect, we the undersigned (being all three present) proceeded to the valuation of the said negroes forty five in number, To Wit:

Davy \$500, Jordon 490, Jason 450, little Dave 400, Friday 450, Allen 450, Shade 430, Ikey 430, Wells 350, Bob 350, Gid 350, Kitt 350, Captain 300, Driver 250, Richard 150, Mourning 320, Agg 290, Jenny 280, Hagar 280, Judah 280, Sarah Silvey's child 200, Amey (Charlotte's child) 175, Chone and child Lyd 450, Viney and two children Abram and Toney 500, Kizzy and child Balaam 400, Phibb and two children Anny and Robbin 450, Patt and two children Riddick and Pink 480, Siloah and two children J'ney and Pifsey 450, Old Judah and two children Rose and Agg 250, and Old Sarah 25, making in the aggregate the sum of Ten Thousand nine Hundred and Twenty Dollars. Whereupon we made an allotment to Gen'l William Arrington in conveyance of his wife Mary, negroes to the amount of Eleven Hundred Dollars, that is to say Davy, Richard, Viney and Two children Cato and Clansey. The sum being eight Dollars more than a tenth part.

Given under our hands this 10th day of February 1806.

John H. Drake

Jas. Arrington

The above division is Registered under order of Court the 17th day of Nov. 1831.

Attest.

Jno. G. Blount. P. R.

WILL OF JESSE BATTLE²

Hancock County, Ga., Aug. 20, 1805

GEORGIA
HANCOCK COUNTY }

IN THE NAME OF GOD, AMEN:

I, Jesse Battle, of the County of Hancock and State of Georgia aforesaid, being in perfect sound mind and memory and calling to mind the mortality of the body and knowing that it is appointed for all men to die, do make and ordain this my last Will and Testament in the manner and form following (to wit) principally and first of all I give and recommend my soul unto God, who gave it me, my body I recommend to the earth to be decently buried at the discretion of my executors, nothing doubted but that it will be raised again at the general resurrection by the mighty power of God. And as for the worldly goods wherewith it has pleased God to bless me with in this life, I give and dispose of them in the order and manner following, viz,

First

My Will and desire is that all my lawful debts should be paid.

Secondly

I lend unto Susanah, my dearly beloved wife, the dwelling house and plantation

¹See Table 76.

²See Table 2.

whereon I now live, with all and singular the premises and appurtenances thereunto belonging or appertaining during her natural life, at her death, I give and bequeath unto my son Reubin Battle, the said plantation and everything appertaining thereunto, his heirs and assigns forever.

Thirdly

I lend unto my beloved wife Susanah, six negroes, to-wit: Duke, Lancaster, Bob, Winafred, Betty and Penny, during her natural life, then it is my will and desire that they be equally divided among my seven children to-wit: Benjamin Battle, William Battle, Lazarus Battle, Isaac Battle, Reubin Battle, Susanna Ragan and Polly Rabun, to them and their heirs and assigns forever.

Fourthly

I give and bequeath unto Benjamin Battle one negro boy named Andrew, to him and his heirs and assigns forever.

Fifthly

I give and bequeath unto my son William Battle one negro boy named Condy, to him and his heirs forever.

Sixthly

I give unto my son Lazarus Battle one negro boy named Miles, which he has now in possession, to him and his heirs forever.

Seventhly

I give unto my son Isaac Battle four negroes (to-wit), Alexander, Jack, Isabel, and Ede, which he has now in possession, to him and his heirs forever.

Eighthly

I give unto Reubin Battle, my son, four negroes (to-wit), Stafford, Dick, Saluda, and Tinsay, which he has in possession, to him and his heirs forever.

Ninthly

I give unto my beloved wife Susanna one Sorrel Horse named Tom, one Gray Mare named "Pegg", the one half of my stock of cattle, hogs and sheep, all of my household and kitchen furniture and one half of the crop that now is on the ground or may hereafter be at the time of my death, to hold to her and to her assigns during her natural life, and after her death what remains to be equally divided among my children, likewise I give unto my beloved wife Susanna One Hundred Dollars in specie, likewise one half of the farming utensils, to her and her heirs forever.

Tenthly

I give unto James B. Cain, my beloved grandson, one negro named Simon, to hold to him and his heirs forever.

Lastly

My will and desire is that the residue of my estate, both real and personal, should be equally divided among my seven children to-wit: Benjamin, William, Susanna Ragan, Polly Rabun, Lazarus, Isaac, Reubin, to them and to their heirs and assigns forever.

I also nominate, constitute and ordain my beloved son William Battle and my beloved son in-law, William Rabun, the sole executors of this my last will and testament, hereby revoking all other or former wills by me made, ratifying and confirming this only.

In witness whereof I have hereunto set my hand and seal this the 20th day of August 1805.

Signed, sealed, pronounced and declared the last Will and Testament of the testator in the presence of us who in the presence of him and in the presence of each other have subscribed our names as witnesses.

Jesse Battle (Seal)

Leven Ballard
William McClellan
John Veazey.

Probated October Term, 1805.
[Book "C", folios 237, 238, 239.]

WILL OF WILLIAM SUMNER BATTLE¹

Taliaferro County, Ga., Sept. 4, 1828

I, William Sumner Battle of the State of Georgia and the County of Taliaferro, do make and ordain this my last Will and testament in manner and form following, viz: First. I lend unto my beloved wife, Sarah Battle, dwelling house and all the out houses, and the plantation whereon I now live, with all and singular the premises and appurtenances thereunto belonging or appertaining, during her natural life. Also I lend her twenty negroes, to-wit, Chaney, Anne, Emely, Weston, Lewis and Jinney, Bobb and house, Harriett, Green, Jane, Crawford, Ben, and Martain, Phillis and her sister, Harriett, Samuel Ezekiel, Cynthia, Kinchen and Dick, and their increase during her natural life. And I give and bequeath unto her all the household and kitchen furniture. I also give her all the stock of horses, cattle, hogs and sheep, and all the farming utensils, Blacksmith tools, carpenter-tools, wagons, carts and geer of every kind, and the Still and all the casks, and all the brandy, corn, fodder, wheat, oats and barley. I also give and bequeath unto her all my ready money, my outstanding debts and dues, and request that the few small debts I owe, may be paid out of it.

2nd Item. I hereby confirm unto my son Joseph John Battle, the gifts heretofore made him by me. And I further give and bequeath to him, one negro woman by the name of Henrita and her four children, Anderson, Jemima, Emely, and George and their increase. To him and his heirs and assigns forever.

3rd Item. I give and bequeath unto my son, Jesse Brown Battle, the lands and tenements whereon he now lives in Hancock County, I also give and bequeath unto him two negro men, Candy and Andrew, and a woman called big Pheuba and her five children, to-wit: Ferry, Mourning, Allen, Weston and Washington with their increase; and all other property heretofore given him by me. To him and his heirs and assigns forever.

4th Item. I give and bequeath unto my daughter, Sarah Carter, nine negroes named as follows: Anaca, and her three youngest children, Rose, big Jim and little Crawford, Peggy and her three children, Peter, Center, and the youngest, its name

¹See Table 4.

not recollected, and a boy named Clinton, with their increase, together with all other property heretofore given by me. To her and her heirs and assigns forever.

5th Item. I give and bequeath to my son John William Battle, fourteen negroes, to-wit: Little Creassy and her four children, Little Lucy, Otway, Rachael and Wiley, Agnes and her four children, Little Ben, Olive Merritt, Hittle, Violet, and Penney and her two children, Alfred and Penutice and fellow named Noel, and their increase. I also give my surveying and plotting instruments and a book entitled, Gibson Practical Surveying, and all other property heretofore given by me. To him and heirs and assigns forever.

6th Item. I give and bequeath to my grand daughter Susan Battle Mercer, one negro woman called big Patt and all her children, to-wit: Celia, Nathlan, Abner, Martha, Margaret, and a young one whose name I do not recollect, and Milcah and her two children, Osborn, Austin and Delpha, and their increase. And I confirm to her father Herman Mercer, the gifts of a fifty dollar bill, a bed and furniture, side-saddle and bridle and four chairs heretofore given to him by me. And I hereby lend him the above named negroes, which I have given his daughter Susan Battle until she shall arrive to age, or marry, and no longer, then to her heirs and assigns forever.

7th Item. I give and bequeath to my daughter, Serena Ragan Stroud, eleven negroes, to-wit: Beck, and her three children, Mariah, Levina and big Alfred and Mariah's child, whose name is not recollected, Suckey and her four children, Naney, Edmund, Frances and the youngest whose name I do not recollect, and a girl named Euphemia, they and their increase, to her and her heirs and assigns forever.

8th Item. I give and bequeath unto my son, Lazarus Whitehead Battle, twelve negroes to-wit: Cheener, Lepsey, Otway, Thadius, and little Harriett, big Creacey and all her children, Dolley, Nelson, Aylsey, and Daniel, a girl called Pate, and a fellow named Neptone, and their increase, together with all other property heretofore given by me, to him and his heirs and assigns forever.

9th Item. I give and bequeath unto my daughter, Susan Long, ten negroes, namely, Big Phillis, Patience and her sons, Kinchen, Hartwell, Dick, Betty, Ephrum, Raphley and Amanda, and Adeline, and their increase, together with all other property heretofore given her by me, to her and her heirs and assigns forever.

10th Item. I give and bequeath unto my daughter, Selina Countes Bunkley, eight negroes, to-wit: Big Lucy, and her three youngest Children namely, Phebe, Matilda, and James Cato, little Pheruba and her three children, Sara, John and Elizabeth, and their increase together with all other property I have heretofore given her, to her and her heirs and assigns forever.

11th Item. I give and bequeath unto my four daughters, Sarah Carter, Serena A. Stroud, Susan F. Long and Selina C. Bunkley (jointly after the decease of their Mother) the lands and tenements whereon she now lives and the which is hereby reserved for her use during her natural life, to be equally divided amongst them in any way that they may deem most satisfactory to them and theirs and assigns forever.

12th Item. My will and desire is that after my decease, the following named negroes to-wit: Dafney and her three youngest children, Clorey, Rachael and Anderson, Nice and Bradford, Bridgett and her children, Betty, Sim and Eliza and their increase be equally divided among my eight children namely, Joseph John Battle, Jesse Brown Battle, Sarah Carter, John William Battle, Serena A. Stroud, Lazarus Whitehead Battle, Susan F. Long and Selina C. Bunkley, and after the decease of my wife, my will and desire that all the personal property that remain of my estate,

and is not otherwise appropriated, be equally divided among my eight children above named, to them and their assigns forever.

Lastly. I constitute and ordain my sons, Joseph J. Battle, John William Battle, and my son-in-law William Stroud, the sole executors of this my last will and testament, hereby revoking all other or former wills by me made, ratifying and confirming this only. In witness whereof I have hereunto set my hand and affixed my seal, this 22nd day of December Anno Domini, 1826.

W. S. Battle (Seal)

Signed, sealed and pronounced and delivered as the last will and testament of the testator in the presence of us, who in his presence, and in the presence of each other, have subscribed our names as witnesses hereto.

James Claxton

his

Wiley X Allen

mark

Larkin R. Gunn, J. P.

[Recorded in Will Book "A", pp. 45-49. Sept. 4, 1828.]

LAND GRANTS IN NORTH CAROLINA TO BATTLES, 1745-1836

[From Records in the Office of the Secretary of State, Raleigh, N. C.]

Book	Page	Date	Name	Acres	County
11	138	1745-1750	Elisha Battle Dec. 10, 1760	699	Edgecombe
11	141	"	Elisha Battle Aug. 10, 1762	690	"
11	143	"	Elisha Battle Apr. 26, 1754	127	"
25	40	1775-1784	Ephraim Battle	300	Onslow
39	466	1779	William Battle	640	Nash
46	35	1782	Ephraim Battle Oct. 28, 1782	100	Onslow
72	74	1789-1790	James Battle	200	Cumberland
73	20	1789-1791	John Battle	273	Edgecombe
73	26	"	Jethro Battle	101	"
76	442	1789-1794	Ephraim Battle	74	Onslow
76	443	"	"	92	"
80	508	1792-93	Thomas Battle	50	"
91	47	1796-97	James Battle, Sr.	105	Cumberland
105	9	1799-1800	James Battle	400	"
109	163	1800	Ephraim Battle	100	Onslow
120	232	1804-05	James Battle	4	Cumberland
121	366	1805-1806	John Battle	100	Buncombe
128	217	1813-1814	James Battle	11	Cumberland

Will of Solomon Perry.¹ Franklin County, N. C. March 23, 1815. *Wife*: Mary. *Sons*: John C., Josiah D., Lark S., Harwood P., Cordy W. *Daughters*: Mary C., Louisa H., and Elizabeth Harris. *Executor*: John C. Perry (son). *Commissioners to divide land*: Jeremiah Perry (fork), Jeremiah Perry (Col.), Thomas Arendall, James Strother, John Perry (brother). *Witnesses*: J. Perry, William Freeman, Sr., Alsebeth Conyers.

Will of Isaac Battle.² Hancock County, Ga. June 8, 1835. Aug. 13, 1835 [Book "N," folios 516-19]. *Wife*: Patsey. *Son*: William R. Battle. *Daughters*: Eliza Ann, Sarah W. Bishop. *Granddaughter*: Martha Ann Uriah Battle. *Executors*: William R. Battle (son), John W. Rabun (nephew). *Witnesses*: A. E. Reeves, Geo. W. Palmer, Frederick Barfield.

Will of Reuben T. Battle.³ Hancock County, Ga. 1844.⁴ January Court 1848 [Book "Q", folios 377-381]. *Wife*: Bethia. *Daughters*: Amanda M. F. Nisbet, Harriet E. A. Irwin, Mary L. A. Harley. *Executors*: Charles M. Irwin, William I. Harley, Eugenius A. Nisbet. *Witnesses*: John A. Latmer, Joseph J. Pearce, Daniel Grant.

Will of John W. Battle.⁵ Montgomery County, Ala. May 5, 1862. Oct. 17, 1865 [Will Book No. 4, pp. 482-85]. *Wife*: Sidney. *Sons*: Jesse S., John M., William A., Lee W. *Daughter*: Julia A. Frazier. *Executors*: William A. Battle, John M. Battle, William J. Frazier. *Witnesses*: Richard Olin, J. Wm. Killen, J. L. Townsend.

¹See Table 46.

³See Table 25.

²See Table 2.

⁴Certain slaves were willed to the three sons-in-law on Dec. 27, 1844.

⁵See Table 16.