

JOHNSTON COUNTY NORTH CAROLINA

WILL ABSTRACTS

1746 - 1870

VOL. I & II

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INTRODUCTION

Johnston County, established in 1746 by an Act of the General Assembly of the Province of North Carolina from parts of Edgecombe and Craven Counties, was named for the Royal Governor Gabriel Johnston 1734-1752. Parts of Johnston County have been taken to form the counties of Lenoir, Wayne, Greene, Wake, and a small portion for Harnett.

The first Court House of the county was located on Walnut Creek in what is now Wayne County, east of the present town of Goldsboro. Two Parishes were formed for the county in 1756, St. Stevens Parish in the western part and St. Patricks Parish in the east. This division of the county helped to establish the dividing line in 1759. In 1759 the new county of Dobbs was formed in the eastern portion, and when it was abolished in 1791, all the records of early Johnston County went with the new county of Greene. Efforts were made at several times, noted in the Court Minutes, to get these records, but these failed. The records remained with the new counties and were destroyed by fires in the Lenoir County Court House in later years. Several years ago, a dedicated researcher found an Index to the early Deeds Books of Johnston County, but only an index, as no deed exists. At least these records give information that these people were here in early Johnston County and were land owners.

The second site of the Johnston County Court House 1759 was near what is now Clayton, at Hinton's Quarter. When Wake County was established in 1771, the Court House was only a few miles from the Wake County line and was moved to the Neuse River crossing at Smith's Ferry, known today as Smithfield. A few years later it was moved to its present location at the intersection of Second and Market Streets. The present building was erected in 1921/22 with a new annex being added in 1988. There has been no great loss of records, no fires and very little damage from the occupation of Smithfield by Union Troops in 1865. Those first thirteen years, 1746-1759, will always remain a mystery untold for the County of Johnston.

JOHNSTON COUNTY WILL ABSTRACTS 1746-1870 is a collection of the early Wills that are recorded in the Johnston County Court House at Smithfield, and those located in the North Carolina Archives in Raleigh, NC. This collection of abstracts was published in 1975 and 1977. This is a reissue of those two early volumes with corrections and additions that were misread or omitted. Much effort has been made to locate as many of these old Wills, original or recorded copies, as possible. Many of the earlier ones are lost and gone forever and many are only bits and pieces, but these pieces can give valuable informations, when nothing else exists.

All of the original known wills for Johnston county are located in the North Carolina State Archives in Raleigh for safe keeping. Many have been specially treated, acid removed from the paper, and laminated for preservation.

Of those missing Wills, some information has been gleaned from Johnston County Court Minutes of Pleas & Quarter Sessions and has been added to the abstracts and noted. Other information was found in the Johnston County Record of Estates, Johnston County Marriage Bonds, and Cemetery Record of Johnston County.

Inasmuch as many Johnstonians did not make wills, the Record of Estates and the Deed Books of the county are valuable sources of information. Every effort has been made to give as much genealogical information as there is in each abstract. Handwriting, spelling and usage of words, along with age, may be the causes of error in these transcripts, but errors are not intentional.

Will books I & II contain most of those wills recorded in the County Court House, but many were omitted or the will books were not all recopied to the present books. Those found in the Archives only are noted, as well as those recorded in the Sec. of State Will records #SS 839-861. These early wills were filed for probate with the Governor or Secretary of State, and many are not recorded in the Will Books in the Court House in Smithfield.

Most of the wills of early 1700-1860 only contain the month of probate that the will was submitted to the Court session, and no exact date of death can be established from this record. There are wills of later years that need abstracting and publishing, and it is hoped that this can will be done and published in the near future.

KEY TO ABBREVIATIONS

Surnames CAPITALIZED
 (signed) by Devisor
 £ - English Pound
 " - English shilling
 ' - English pence
 Jo Co - Johnston County
 dec. - deceased
 d. - died
 b. - born
 ac. - acre of land
 NS - North side of
 ES - East side of
 BS - Both sides of

Exec: - Executor
 Wit: - Witness
 Est. - Estate
 rem. - remaining
 furn. - furnishings
 or furniture
 Prob. - Probate date
 w/o - wife of
 d/o - daughter of
 s/o - son of
 gs/o - grandson of
 prop. - property
 md. - married

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Rem. Est. to sons Samuel & James, after paying debts.

Exec: son James LEE.

Samuel (J) LEE

Wit: Nicholas ROSE, William LEE, Jr.

LEE, Stephen

23 June 1840

Prob. Aug. Ct. 1840

Wife Edith LEE - \$10.00 cash.

Daughters Nancy LEE, Winnafred LEE, Kiziah LEE & Elizabeth LEE - 510 ac. land adj. Nicholas ROSE, Edward LEE & Henry LEE - Bed & furn.

Son Littleton LEE - Bed & furn.; 1/2 doz. Pewter plates; 1 gun; negro Isaac; 250 ac. land adj. Henry LEE, R. W. SNEAD, called Hardy LEE place.

Sons Samuel LEE & William LEE - Farming utensils.

Negro Isaac to remain at homeplace until Littleton reaches 30 years of age.

Rem. prop. to be equally divided among surviving children.

\$50.00 to buy a horse for family use.

Exec: Samuel LEE, William LEE.

Stephen (x) LEE

Wit: Wm. R. LEE, Benja. WALSTON, Henry LEE.

LEE, William R.

26 Jan. 1848

Prob. Feb. Ct. 1848

Brother Alexander J. LEE - Household furn.; livestock; my interest in negroes Ned & Henry, to work for Nicholas LEE in return. Brother Alex. to hire negro woman for sister Eliza C. ADAMS in consideration of sole interest in negroes.

Half-brother Rufus ALLEN - Watch, books, money purse & Pinsel.

Alex J. LEE & Rufus ALLEN - Wearing apparel.

Exec. to sell negro woman Reany & child. Money to be divided equal between my own brothers & sisters. (not named)

Mrs. Polly SNEAD - 1 rocking chair.

Exec: Thomas BAGLEY.

signed W. R. LEE

Wit: John C. HOOD, James H. ADAMS.

LeMAY, Thos. J.

27 Apr. 1863

Prob. Feb. Ct. 1868

2 unmarried daughters Octavia LeMAY & Fidelia LeMAY - Rem. Est. after paying debts.

Son Sidonius LeMAY - Heretofore given a portion; negro Charity; silver cup. Son Zoelus LeMAY - Negro boy October; gold watch, chain & key; horse, bridle & saddle.

Son Leonidas LeMAY, dec. - My tears to his memory.

2 married daughters Victoria & Corinna - Have received their share.

Exec: Alonzo T. MIAL, Wake Co.

signed Thos. J. LeMAY

Wit: (none named)

LEONARD, John

16 Dec. 1848

Prob. Feb. Ct. 1849

Brother Caleb L. LEONARD - Living in Tennessee, \$100.00 for his education.

Hilliard HOPKINS of Johnston Co. - \$100.00.

Aunt Polly RICE - \$50.00.

Uncle Redden RICHARDSON - Collect notes due me \$650.00 from various persons; remaining part of prop. & money to him.

Exec: (not named).

signed John LEONARD

Wit: Edward R. POWERS, Z. R. HINTON.

LILLY, Fredrick

17 Oct. 1866

Prob. Nov. Ct. 1866

Wife Margaret LILLY - All land; livestock; household furn.; money on hand at my decease, during life, to dispose of as she thinks proper.

Exec: Margaret LILLY.

signed Fredrick LILLY

Wit: Jno. BOON, Enoch STEPHENSON.

LITTLETON, Joel

21 May 1856

Prob. Aug. Ct. 1856

Wife (not named) - All prop. during life, then to be equally divided between son Linnet L. LITTLETON & daughter Louiza E. LITTLETON.

Exec: Robert HATCHER.

Joel (o) LITTLETON

Wit: Robert HATCHER, Austin HATCHER.

LOCKHART, Cary

18 Dec. 1860

Prob. Feb. Ct. 1864

Niece Hawkins TALTON - Negroes Amy, Mariah & children Isabell & Rufus, Laurinda & child Crecy & Malvina & child Hawkins, Lucinda during life then to her heirs.

Rem. Est. after debts are paid, to her & her heirs.

Exec: Lewis TALTON.

signed Cary LOCKHART

Wit: Pharoah RICHARDSON, Joseph C. RICHARDSON.

LOCKHART, Hannah H.

16 Oct. 1817

Prob. Feb. Ct. 1821

Son Thomas LOCKHART - \$1.00.

Negro girl Alcey to be sold and money to be divided between Patsy MITCHNER, & Edith TOMLINSON.

4 children of Thomas LOCKHART - To have equal share with one of my own children.

Exec: Samuel MITCHNER, Harris TOMLINSON.
Wit: John BOON, Benj. SMITH, Patsy SMITH.

Hannah H (x) LOCKHART

LOCKHART, James

2 Oct. 1798

Prob. May Ct. 1800

Wife Hannah Hawkins LOCKHART - Negro Nann; household furn.; livestock; land & plant. where I now dwell, on ES of Wolf Pit Branch, during her life time, then to rightful heirs; provisions & support for 1 year.

Son Benjamin LOCKHART - Tract of land 200 ac. on Poplar Br. and Sein (sic) Beach, after death of wife.

Rem. land, except 200 ac. on Poplar Br., to be equally divided between 3 sons. Sons Thomas LOCKHART, Elam LOCKHART & Casey LOCKHART, son Elam to have plant. where I now live and his part adj.

Sons Thomas, Elam & Casey - Rem. land, except 200 ac., equally divided.

200 ac. land to be sold by Exec. to provide money for wife to build a house.

Son Joel LOCKHART - Negro Gincy: \$150.00. Son Thomas LOCKHART - Negro Ned.

Son James LOCKHART - Negro Harry. Son Casey - Negro Phil.

Son Brittian LOCKHART - \$5.00. Son Benjamin LOCKHART - Negro Sal.

Son Osburn LOCKHART - Mulatto Pat. Son Elam - Negro Esther.

Daughter Patsy LOCKHART - Negro Ritter. Daughter Edy LOCKHART - Negro Rose.

Son John LOCKHART - £30.

Son Stephen LOCKHART - Negro Julius; \$50.00.

Rem. of Est. to be sold by Exec.

Son Thomas & all children younger than him, to divide rem. money equally.

Exec: Hannah Hawkins LOCKHART, Robert GULLEY, Jr., Osborn LOCKHART, Thos.

LOCKHART.

signed James LOCKHART

Wit: R. SANDERS, John MCCULLERS, M. HANDY.

LOCKHART, Lucy

8 Aug. 1866

Prob. Feb. Ct. 1868

H. B.. TURNER - 1/2 (in value) of land I possess in fee simple.

Edith TURNER w/o Samuel S. TURNER - 1/2 land & real Est. during life for her sole & separate use, free & clear of debt & limits of her husband. At her death, prop. to Martha Jane TURNER, Amelia H. DURHAM, Mary Elizabeth TURNER, Lucinda Hawkins TURNER, Edith Caroline TURNER, Julia Mitchner TURNER, children of Simon & Edith TURNER.

Martha, Amelia, Mary Elizabeth, Lucinda, Edith & Julia - Rem. prop.

incl. household furn.; livestock; money on hand & debts due to me.

Exec: Samuel S. TURNER.

Lucy(x) LOCKHART

Wit: John HOLT, Samuel POOL.

Codicil - I hereby revoke legacy given H. B. TURNER & do give to Dora TURNER w/o H. B. TURNER, 1/2 of land during life, free & clear of husband and at her death to heirs in fee simple.

23 Nov. 1867 Wit: Samuel POOL, John HOLT.

LUNCEFORD, David

23 Feb. 1860

Prob. Nov. Ct. 1860

Wife Emily LUNCEFORD - Household furn.; livestock; yoke of oxen & cart during life or widowhood; tract of land where I now live; horse & buggy; negro Francis during life or widowhood, then to daughter Myrann YOUNGBLOOD w/o James H. YOUNGBLOOD.

Son Robert D. LUNCEFORD - Tract of land adj. Gilbert, Bryan, Bridgers & river; negroes Solomon, Nancy, Henry, Candis & 5 children; blacksmith tools; grind stone; sideboard.

Daughter Polly Ann ELLIS w/o F. F. ELLIS - All land I now own above line of land I bought from Bridgers, incl. river land & widow's dower; negroes Appy & William, Sam & Elender & their increase.

Daughter Caroline YOUNGBLOOD w/o Thomas YOUNGBLOOD - \$400.00 & at death of wife, land & plant. where I now live; servants Brickle & Aneca; negroes Madison, Dusey & 2 children & their increase.

Son David LUNCEFORD - Negroes Daniel & Hennent & their increase.

4 grandchildren, ch/o Subryna CLIFTON, dec. - Negroes Needham & Jain & increase (2 boys & 2 girls).

Son Robert D. LUNCEFORD - Negroes Hester & child, Henry, Ester, Haywood & Hester's future increase. At end of 21 years, son Robert & trustee shall sell negro Haywood and increase to best advantage, & proceeds to be equally divided among children of daughter Minerva PRICE w/o J. W. PRICE.

Rem. Est. to be sold & money divided between heirs of Subryna & heirs of Myrann & son Napoleon B. LUNCEFORD, if he is to be found, if not, to his son David LUNCEFORD.

Exec: son-in-law Ferdinand F. ELLIS.

signed David LUNCEFORD

Wit: Jno. H. KENNEDAY, Jas. MITCHNER, Parker RAND.

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OGBURN, John 21 Dec. 1841 Prob. May Ct. 1846
 Wife Mary OGBURN - Negroes Ressay, George; bed & furn.; livestock during natural life or widowhood.
 Daughter Sarah OGBURN - Negro girl Mariah; bed & furn.; cow & calf.
 Daughter Lucy YOUNG - Negro girl Everlinah.
 Daughter Charlotte WILLIAMS - Negro girl Leanah.
 Son Stephenson OGBURN - Negro boy Julious.
 Son Calvin A. OGBURN - Negro boy Nathan; 1 grind stone; 1 hand saw.
 Prop. lent to wife, at her death, to be divided among children.
 Rem. livestock to be sold and money divided.
 Exec: (not named) John (7) OGBURN
 Wit: James WILLIAMS, Thomas BARBER.

OLIVER, Asa 28 Apr. 1852 Prob. Nov. Ct. 1852
 Nephew William H. OLIVER - Tract of land where my dwelling house now sits, containing 130 ac.; negro Wooten age 35-40 years.
 Niece Zilpha Elizabeth OLIVER - 1 chest; bed & furn. during life.
 Sister Edith PHILLIPS & brother William OLIVER - \$1.00 each.
 Heirs of Zilpha STALLINGS dec. & heirs of Needham OLIVER, dec. - \$1.00 each.
 Rem. prop. to be sold by Exec. and money to nephew William H. OLIVER.
 Exec: William H. OLIVER. signed Asa OLIVER
 Wit: John H. HURDLE, Wm. H. SELLARS.

OLIVER, Henry 26 Nov. 1818 Prob. Nov. Ct. 1819
 Wife Dinah OLIVER -
 Son William P. OLIVER - All land lying on NS of Neuse River after death of his mother.
 Daughters Nancy OLIVER, Polly OLIVER & William Pegson OLIVER - Rem. prop. to be equally divided after death of wife between three children.
 Exec: Samuel G. SMITH. signed Henry OLIVER
 Wit: A. SMITH, Josiah BROWN.

OLIVER, John 28 Aug. 1803 Prob. Nov. Ct. 1803
 Wife Dorcas OLIVER - 87 ac. plant. where I live, during natural life or widowhood; livestock; household furn.; 1/2 plant. tools.
 Son James OLIVER - 88 ac. land on BS Mocosin Swamp, the new entered land.
 Son William OLIVER - 74 ac. land adj. plant. where I live; livestock.
 Son Henry OLIVER - 88 ac. land lying on upper side of plant. where I live.
 Son John OLIVER - 87 ac. land above land lent to wife; 1 cow & calf to be his at age 21.
 Daughter Kizia OLIVER - Bed & furn.; 1 cow & calf, to be hers at full age or marriage.
 My children are to be schooled & wife to pay for schooling out of prop. willed to her.
 Debts to be collected. Rem. of Est. not willed, is to be sold by Exec.
 Any money rem. after debts are paid, to be divided equal among children.
 Exec: Dorcas OLIVER. signed John OLIVER
 Wit: Henry DAVIS, Stephen OLIVER, Charles WELLONS.

OLIVER, John 27 May 1787 Prob. Feb. Ct. 1792
 Wife Sarah OLIVER - All part & parcel of Est. not mentioned, after debts have been paid, for her during widowhood, then to be divided equal among children.
 Son Thomas OLIVER - 200 ac. land on Delanys Br. on WS of Moccason Swamp; all my books.
 Son Stephen OLIVER - 100 ac. land on WS of Moccason Swamp, adj. son John's; 1 horse, bridle & saddle; livestock.
 Son Henry OLIVER - 200 ac. land on Rooty Br. & Woods Br. on NS of Moccason Swamp; livestock.
 Son Mitchell OLIVER - Land & plant. where I now live after dec. of wife; gun.
 Daughter Elizabeth OLIVER - Feather bed; livestock.
 Daughter Eliner OLIVER - Livestock.
 Exec: Sarah OLIVER, son Thomas OLIVER. John (J) OLIVER
 Wit: N. PEARCE, Shadrack PEARCE, Jesse SPENCER.

OLIVER, Thomas 8 Sept. 1799 Prob. Nov. Ct. 1799
 Wife Elizabeth OLIVER -
 Son John OLIVER - 185 ac. land deeded to me by Isaac POWELL; 1 Church Bible.
 Son Stephen OLIVER - 100 ac. land on Stephens Br.; bed & furn.
 Sons Isaac OLIVER & Alexander OLIVER - 200 ac. land where I now live, to be equally divided after the death of their mother.
 Son Isaac - 1 gun. Son Alexander - 1 horse; cow & calf.
 Exec: Elizabeth OLIVER, her brother John POOL. signed Thomas Oliver
 Wit: Jeremiah GURLEY, Isaac STALLINGS, William POWERS.

VINSON, Abner 5 Apr. 1832 Prob. ?
 Will recorded NC Archives #56.501.18, pg 86. Jo Co Record of Estates.
 Sisters Polly VINSON & Laurinda VINSON - All land & tenaments, divided equal.
 Brother James VINSON - Negro Daniel.
 Rem. prop. to be qually divided.
 Exec: brother James VINSON. Abner VINSON
 Wit: (none named)

VINSON, Rutha 29 Apr. 1857 Prob. Aug. Ct. 1859
 Will recorded Will Bk. 1 pg. 731, Jo Co Court House, Smithfield
 Family graveyard to be enclosed with an iron railing, at place where I
 formerly lived.
 Rem. Est., after paying debts, be equally divided between daughters Mary
 RICHARDSON, Lucinda RICHARDSON & daughter-in-law Elizabeth VINSON.
 Wit: Joseph HARE, Wm. H. O'NEAL. Rutha (x) VINSON

WADDELL, Edward 20 Apr. 1812 Prob. Nov. Ct. 1812
 Wife Polley WADDELL - Plant. where I now live & the "Pate Plant." during life
 or widowhood; livestock & tools.
 Son Richard WADDELL - \$160.00 if he has a child after our death.
 Son Everitt WADDELL - 210 ac. land on NS of Moltens Br.
 Son Joel WADDELL - 200 ac. land on fork of Juniper Swamp, incl. Parish place.
 Son Edward WADDELL - 200 ac. plant. where I now live, down to the county line.
 Son John WADDELL - 200 ac. land incl. Pate Plant., after death or marriage
 of wife.
 Daughter Rhoda PEARCE - 1 heifer. Daughter Zilphia HALES - 1 wheel.
 Rem. Est. to be sold & debts paid. Any rem. money to be divided equal between
 sons John & Edward.
 Exec: David BARNES, son John WADDELL. signed Edwd. WADDELL
 Wit: Samuel POPE, Prislas HEARN.

WADEL, Evrett 20 May 1864 Prob. May Ct. 1866
 Sister Rhoda PEARCE & brother John WADEL - \$5.00 each.
 205 ac. on NS of Moltens Br. to be sold & all debts paid. Rem. tracts to be
 divided equal to Harris WADEL & Evrett Richard WADEL.
 Joshua WADEL - 40 ac. land adj. my home tract & J. F. Ellis on county line.
 Exec: Harris WADEL. Evrett (x) WADEL
 Wit: Stephen JOHNSON, Zil PEACOCK.

WALL, Bennett 17 Aug. 1859 Prob. Nov. Ct. 1861
 Wife Sally WALL - Rem. land not already given away, incl. mansion house.
 Eldest son William H. WALL - 59 ac. land on ES of Lewisburg Rd., already
 deeded to him, as his share of my Est.; livestock he already has.
 2nd son Malichi M. WALL - 59 ac. land adj. above already deeded to him; live-
 stock he already has.
 3rd son James M. WALL - 54 ac. land where now lives, already deeded to him;
 \$30.00 in lieu of horse or livestock.
 4th son Jesse WALL - 54 ac. land on BS Bens Prong, adj. brother James, already
 deeded to him & livestock he already has.
 Daughter Permilla CREECH - Bed & furn.; livestock she already has.
 Sons Josiah WALL & John H. WALL - Bed & furniture each.
 Sons Bennet, Josiah & John - All land I have lent to wife, at her death.
 2 youngest sons to be made equal to 4 eldest sons in personal prop. Daughter
 to be equal in receiving in personal prop.
 Exec: (not named) Bennett (x) WALL
 Wit: John HINNANT, E. H. GULLEY.

WALL, Elizabeth 1 July 1856 Prop. Feb. Ct. 1857
 Nephew John R. WALL - All property, real & personal.
 Exec: nephew John R. WALL. Elizabeth (x) WALL
 Wit: Wm. T. ROBERTSON, Robt. N. GULLEY.

WALL, Jesse, Sr. 15 Oct. 1839 Prob. May Ct. 1842
 Wife Mary WALL - All land on ES of Auld Spring Br. during life or widowhood;
 1/2 of land to daughter Elizabeth WALL & other half to son Perry Wall, at
 wife's death or marriage.
 Rem. land on WS of Spring Br. to 3 children: Jesse WALL, Bennett WALL &
 Phereby MURPHY.
 Wife - Livestock; horse & saddle; household furn.
 Grandson John WALL - My gun.
 All crops to the family. Rem. prop. to be sold & debts paid.
 Exec: Elias BARNES. Jesse (x) WALL
 Wit: James STALLINGS.