

Will, NC, Johnston, Thomas Avera 1761

12th day of February 1761

In the name of God, Amen.

I **THOMAS AVERA** late of Johnston County, province of North Carolina, planter, being weak in body but in perfect mind and memory, thank to God for the same, calling to mind the mortality of my body & that it is appointed for all men once to die, I do make and ordain this my last will & testament.

FIRST of all I give my soul into the hands of God that gave it me, nothing doubting at ye general resurrection to receive it again by the mighty power of God, and my body to the earth to be buried in a decent, Christian manner at ye discretion of my executors. And as for what worldly Estate it has been please God to bless me with, I dispose of in the following manner & form.

Imprimis I leave & bequeath to my beloved wife **JUDITH AVERA** her third of half a tract of land I now dwell on with all ye improvements during her life and one negro girl named JUDITH and one feather bed with a green rug & pair of sheets & two cows & calves, and one horse, bridle & saddle and fifty pounds current money of aforesaid province to be levied out of my estate.

I leave & bequeath to my son **ALEXANDER AVERA** one hundred acres of land where he now dwells, to him & his heirs forever.

I leave & bequeath to my beloved son **THOMAS AVERA** Jr. one piece of land where he now dwells containing about ninety acres to him & his heirs for ever.

I leave & bequeath to my beloved son **JOHN AVERA** one half of the land I now dwell on & part up ye River to him & his heirs forever.

I leave & bequeath to my beloved sons **WILLIAM [AVERA]** and **MOSES AVERA** one tract of land south side of the Neuse River containing two hundred & twenty five acres to be equally divided between them, to them & their heirs and assigns forever.

I leave & bequeath to my beloved son **ISAAC AVERA** one half of ye land I now dwell on with ye plantation to him and his heirs forever.

I leave & bequeath to my beloved son **HENRY AVERA** forty pounds current money of ye aforesaid province to be levied out of my estate.

I leave & bequeath to my beloved daughter **ELIZABETH JONES** thirty pounds current money of ye said province to be levied out of my estate.

I leave & bequeath to my beloved **MARY AVERA** forty pounds current money of ye said province to be levied out of my estate.

I likewise leave forty pounds of ye aforesaid money to ye child my wife **JUDITH AVERA** goes forth to be paid out of my estate but if it should die before it comes to maturity ye money to be divided amongst ye rest of my children.

And I do hereby constitute & appoint my beloved sons **ALEXANDER AVERA** & **THOMAS AVERA** to be executor of this my last will & testament.

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I do hereby revoke, disanull & disallow all other & former wills & testaments this and no other to be my last will & testament.

In witness whereof I have set my hand & seal.

THOMAS AVERA {seal, his + mark}

Signed, sealed and delivered in ye presents of us

Test

WILLIAM AVERA

WILLIAM JONES Sr.

This will registered in book A page the 58th and forward to 60.

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Annotated by **FRANKLIN W. INGRAM**, 19 Feb 1999

Note that this Will has proven to be misleading without reference to other Johnston and Cumberland Co documents found in the NC Archives, Raleigh, NC, and in the **AVERY** Vertical File at the Johnston Co Genealogy Library, Smithfield, NC.

For example, five (5) of the sons named in this Will became Minor Orphans at the time of **THOMAS AVERA**, Sr.'s death and the sixth minor son, **ARTHUR [AVERA]**, was still unborn when the Will was signed. **WILLIAM**, the son, was a boy at the time and is not the **WILLIAM AVERA** who witnessed the Will. The son, **WILLIAM**, eventually moved to Cumberland Co, NC, and sold his inheritance to his brother **MOSES [AVERA]** and was given power of attorney to act on behalf of his brother, **SAMUEL**.

It is proven that **SAMUEL AVERA** married (10 Feb 1779) **ZILPHA INGRAM**, daughter of **RICHARD INGRAM**, Testator of 1781, and later moved to Wilkes / Lincoln Co GA, as did his younger brothers, **ISAAC [AVERA]** and **ARTHUR**.

It is also likely that **SAMUEL**'s brother, **WILLIAM**, married **ZILPHA**'s sister, **ELIZABETH INGRAM**, and that **SAMUEL** and **WILLIAM**'s older sister, **MARY AVERA**, married **ZILPHA** and **ELIZABETH'S** brother, **JOHN INGRAM**.

THOMAS INGRAM and his younger brother, **JOHN INGRAM**, the sons of **JOHN INGRAM** and **MARY AVERA INGRAM**, went with **SAMUEL** and **ZILPHA INGRAM AVERA** to GA where they married daughters of **HEZEKIAH BUSSEY**.

In addition to all of the related records, it is wise to keep in mind that **THOMAS AVERA**, Sr.'s grandson, **THOMAS AVERA**, III, also married a **JUDITH**. Care should be taken not to confuse **JUDITH** the wife of **THOMAS AVERA**, Sr. with **JUDITH** the wife of **THOMAS AVERA**, III.

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Transcribed from original documents by Brent R. Brian & Martha M. Brian.

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