

Will Probate, NC, Cumberland, **ALEXANDER CAMPBELL, 1769 1779**

Ballole in Isla Argyllshire

In the name of God.

I, **ALEXANDER CAMPBELL** of Lossett, make this my last will and testament, being at present sound in body and mind and observing how liable mankind in general are to be cut short of their lives by accidents & c., and to prevent any disputes arising after my death about any trifling effects I may die possessed of, I will and test as follows viz:

IN THE FIRST PLACE I nominate constitute and appoint **COLIN CAMPBELL** my brother, **WILLIAM CAMPBELL** of Ormsary [Scotland], **JOHN CAMPBELL** of Killinallan [Scotland], the Reverend Mr. **JOHN WOODROW**, and **BAILY ARCHIBALD GRAHAM** to **BE** my executor in Great Britain; and **ANGUS CAMPBELL** in Passage Fort [Jamaica], **JOHN GRAHAM** at Taylor's Estate [Jamaica] and **ALEXANDER CAMPBELL** in Kingston [Jamaica] to be my executors in Jamaica.

I first bequeath and leave to each of my dear daughter's **POLLY [CAMPBELL]**, **KITTY [CAMPBELL]**, and **JEAN [CAMPBELL]** two hundred pounds sterling XXX to be given them at their marriage or whatever time it is thought most reasonable by my above said British executors to be given them before marriage, also I leave and bequeath to my natural son **COLIN CAMPBELL** ninety pounds sterling, all the sums to be laid out on good security after my death as soon as possible can be done by my executors after paying my debts and the interest to support and educate said children as the aforesaid executors think proper.

All the rest of my goods and gear I leave to my beloved son **DONALD CAMPBELL** whatever maybe left me in Jamaica in right of my wife & c. my will is that it be equally divided by my executors among my lawful aforesaid children or anything else that may happen to fall to me by any right whatsoever except I presently possess may be equally divided among my married children.

My will is also that my son **DONALD CAMPBELL** be kept class at school until he is 15 or 16 years of age and then sent to Edinburgh and bound to a doctor for three years where he'll have opportunity of studying everything that is proper for him and then he may go abroad to or among his friends. As for my daughter's if their grandfather wants any of them to Jamaica, after my death, he ought to have them sent him. The rest I leave to the management of my dear brother and the rest of my executors.

If any of my four named lawful children dies, without heirs of their own bodies, my will is that they equally succeed one or another, and that whenever there is any certainty of my death that this will may be registered and that there be no attorney to explain this will but as literal and plain as can be. Notwithstanding the above disposition, in case by accident on unforeseen misfortune, my circumstances might be so reduced that my fortune would not admit of my son **DONALD CAMPBELL** being on an equality with my aforesaid daughters. My will is that he be at least equal to any of them and this is the true meaning of my will.

ALEXANDER CAMPBELL

Signed, Sealed, this 11th of August 1769 in the presence of **WILLIAM TAYLOR** student [torn] & **ALEXANDER**.

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Ballole in Cumberland County North Carolina March 16th 1766.

As a codicil to the foregoing will, I add the following.

First in place of **ALEXANDER CAMPBELL** merchant, in Kingston, Jamaica, I nominate and appoint doctor Mr. **DONALD CAMPBELL** planter in St. **MARY'S**, in said Island, and **JOHN MCDONALD** son to **KINLOCH MURDCART**, planter in said Island, my executor there and in place of my Uncle **WILLIAM CAMPBELL** of Ormsary and **JOHN CAMPBELL** of Killinallan, now deceased. I nominate and appoint my uncle son Duncan **CAMPBELL** of the Granades and **DONALD CAMPBELL CAMPBELL** of Ballrobie Esquire my executor in Scotland in conjunction with the rest of my executor is named as before. Likewise I nominate and appoint **FARQUHARD CAMPBELL** and **DUNCAN MCNEIL**, planters in this country, the Reverend **JOHN MCLEOD** minister here and **WILLIAM CAMPBELL** and Mr. **ROBERT GILLEES** in Cross Creek to be my executor in this country. My will is that as soon as possible after my decease, if copy of this my will be sent to Scotland send copy to my executor in Jamaica a sketch of my affairs is as follows, viz:

I owe no debts but some Trifles abroad at Cross Creek, which **WILLIAM CAMPBELL** is to pay, having subject in his hand for that purpose as to be seen by his accounts with me.

I also nominate an appoint **ARCHIBALD SIMPSON**, Merchant and Cross Creek, to be one of my executors in this country.

ALEXANDER CAMPBELL

HECTOR MCLEOD Witness

JAMES SMYLEY Witness

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State of North Carolina
Cumberland County

October Court 1779

Then the above codicil was in open court approved by the oath of **HECTOR MCLEOD** and admitted to record.

test signed
W. RAND

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ALEXANDER CAMPBELL

Will

January 1792

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State of North Carolina
Cumberland County

ALEXANDER CAMPBELL considering myself drawing nigh to the gates of death and wishing my family affairs when I am no more to be peaceably and amicably settled to make this my last will and testament, whereby I do bequeath all my real and personal estate which shall be found remaining after paying and fully satisfying all lawful debts and claims against me to be divided to my wife and children as law directs.

And do hereby appoint **JOHN CAMPBELL** and **JAMES CAMPBELL** as my sole executors to this my last will and testament.

In testimony whereof I have hereunto set my hand and seal the 7th Day of February 1791.

ALEXANDER CAMPBELL

Attest

JAMES KEDDER witness

HUGH WATT witness

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State of North Carolina
Cumberland County

Superior court of law

To **JOHN L. BETHEA** and **JOHN DARROCH**, Justices assigned to keep the peace and for the county of Cumberland or to any other two justices assigned to keep the peace in and said County, greeting:

We, reposing special trust and confidence in your Fidelity and integrity, do authorized and Empower you, or any two of you, to cause **MALCOLM CLARK** and **NANCY CLARK** to appear before you on such certain day and place as you shall appoint, and, being duly sworn, to examine of and concerning such matters and things, as they shall know of, in a certain matter of controversy, depending in the superior court of law for our County of Cumberland, between **JOHN MCKAY** plaintiff and **ARCHIBALD MCLEAN** defendant. As well on behalf of the plaintiff as of the defendant and they deposition so taken in writing under your or any two of your hands and seals, to return before the honorable Judge of our said Court, how to court to be held for our County aforesaid, at the courthouse in Fayetteville, on the 7th Monday after the 4th Monday of September next, together with this writ.

Witness **DUNCAN G. MAC RAE**, Clerk of our said court, at office, 6th Monday after the 4th Monday of March 8th 1850 and 74th year of the independence of the United States

D. MAC RAE

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State of North Carolina
Cumberland County

In pursuance to a commission directed from the superior court of Cumberland to us **JOHN L. BETHEA** and **JOHN DARROCH** to of the Justices of the Peace of the said County to take the deposition of **NANCY CLARK** and **MALCOM CLARK** in a case pending in the superior court of said County where in **JOHN MCKAY** is plaintiff and **ARCHIBALD MCLEAN** defendant and the defendant being duly notified has failed to appear we proceed to take the depositions in behalf of the plaintiff as follows viz:

Of **NANCY CLARK**

QUESTION 1: Have you any knowledge of a tract of land lying in Cape Fear River known as the **BILOH** land patented by one **JAMES CAMPBELL** about 1740

ANSWER: I have but I don't know by whom patented. It was said, however, to be by one **JAMES CAMPBELL** a brother of **ALEXANDER CAMPBELL**.

QUESTION 2: How long have you known that place and who was in possession of it at the time you first knew it please inform us particularly.

ANSWER: About 70 years and one **ALEXANDER CAMPBELL** known commonly as **BILOH CAMPBELL** was in the possession of it at that time.

QUESTION 3: Had he any family living with him on the said land and what were their names.

ANSWER: He had three daughters **MARY CAMPBELL**, **CATHERINE CAMPBELL**, and **JANE CAMPBELL** and an illegitimate son called **COLIN CAMPBELL**

QUESTION 4: What became of these females and the said illegitimate son.

ANSWER: **MARY CAMPBELL** married **GILBERT ECHOLS**, **CATHERINE CAMPBELL** married one Captain **MCLEOD** and **JANE CAMPBELL** married one **ROBISON MUMFORD**. The son I heard died.

QUESTION 5: Was the land ever rented out after the death of **ALEXANDER CAMPBELL** by his executors or friends.

ANSWER: It was rented out a good while but I don't know by whom it was rented out.

QUESTION 6: do you know to whom the errors of the **ALEXANDER CAMPBELL** sold that land known as the **BILOH** land.

ANSWER: I always understood that my father **JOHN MCLEAN** and my uncle **HECTOR MCLEAN** bought it from the heirs of **ALEXANDER CAMPBELL**, viz: **MARY**, **CATHERINE** and **JANE** as afore stated.

QUESTION 7: Have you any knowledge how your father and Uncle divided the land the said land between them.

ANSWER: I always understood that my uncle **HECTOR MCLEAN** gave my father choice of the lower half and my father took the upper half of the land.

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QUESTION 8: How long since your father and Uncle bought the land the said land from the heirs of **ALEXANDER CAMPBELL**.

ANSWER: I think it's over 60 years.

QUESTION 9: Do you know to whom your father **JOHN MCLEAN** left his part of the land at his death.

ANSWER: He left it to his son **DANIEL MCLEAN**.

QUESTION 10: Do you know to whom your uncle **HECTOR MCLEAN** left his half of the land.

ANSWER: I understand he left it to his son **DANIEL MCLEAN** also.

Further this deponent sayeth not.

NANCY CLARK {her mark}

Sworn and subscribed to before us the first of November 1850

JOHN L. BETHEA JP

JOHN DARROCH JP

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MALCOM CLARK being called and duly sworn testifies as as follows, viz:

QUESTION 1: are you any acquainted with the tract of land known as the **BILOH** tract of land patented by **JAMES CAMPBELL** about 1740?

ANSWER: I am.

QUESTION 2: How long have you known that tract of land and who has been in possession of it and at what times, please describe particularly.

ANSWER: I have known it about fifty one or two years. **DANIEL MCLEAN** was in possession of the upper half and **HECTOR MCLEAN** in possession of the lower half when I first got acquainted with it.

QUESTION 3: Are you acquainted with any of the lines or corners of said land, and if you are, describe them particularly. How long have you known them and how are you aquired your knowledge and if from the statement or showing of anyone, state whether they are dead or alive and when they died, if dead.

ANSWER: I am. The first corner was on the River Bank in a Mulberry which was shown to me by old **JAMES BOLIN** about 50 years ago and afterward by **ARCHIBALD BUIE**. (Same answer) who showed the Mulberry stump on the riverbank. They are both dead, **BUIE** has been dead over 30 years and **BOLIN** about seven years. I know a corner on the south side of the ??? it's now in a pine, and down, it was shown me by **JAMES BOLIN** and **HECTOR MCLEAN** about 49 or 50 years ago as the second corner of the **BILOH** land and the marked trees coming to it older and known marks.

QUESTION 4: Do you know whether **JOHN MCLEAN** and **HECTOR MCLEAN** claimed their respective portions of said tract separately? Whether any division took place between them and when and how long they have separately held each his own portion of said tract of land?

ANSWER: I did not know **JOHN MCLEAN**, as he was dead before I was acquainted with the ??? but I was acquainted with his son **DANIEL MCLEAN** to whom he gave the place, or part of the track being the upper half of the tract, which he claimed as his part. **HECTOR MCLEAN** I knew him while he claimed the lower half of the said part of the land, and held possession of the same, and there was a crop fence stated to be the dividing line between them and I have heard it disputed and each one held possession of his part ever since as long as they lived.

QUESTION 5: Have you ever shown the beginning corner of said tract of land to Colonel **MCCORMICK** surveyor?

ANSWER: I have shown the beginning and second corner to him as already stated.

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QUESTION 6: Are you acquainted with any other corner or lines of the tract that you have shown to Colonel **DUNCAN MCCORMICK** or any of anyone else?

ANSWER: I am not.

Further this deponent sayeth not.

MALCOM CLARK

Sworn and subscribed to before us the first of November 1850

JOHN L. BETHEA JP

JOHN DARROCH JP

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

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