

## The Will of Azariah G. Walters, my Third Great Grandfather

Azariah Graves Walters, first wife was, Elizabeth Payne Richardson. She died in 1844. Azariah then married Martha B. Coleman on October 24, 1845. Martha died December 14, 1855. After 1860 he married his third wife Martha Mary Carter (7/10/1831 – 2/13/1918). I am descended for his first wife Elizabeth.

*I have transcribed the original will using Azariah's punctuation, wording and spelling. Parts were hard to read.*

Will of Azaraih G. Walters dec'd-----

In the name of God Amen:

I Azariah G. Watters of Pittsylvania County Virginia being of sound and disposing mind and memory make and ordain the following as and for my last will and testament hereby revoking all wills by me hereafore made.

First, I desire that my just debts and funeral expenses shall be paid as soon after my decease as may be convenient.

Second, I give devise and bequeath to my beloved wife Martha Walters for her life my home place upon which I reside containing something over four hundred acres together with all the improvements thereon and the appendences thereto belonging all my household and kitchen furniture of every kind chinaware plates all carriages, wagons, harness, horses, mules cattle and stock of every kind upon or used upon and about my said home place and in like manner I devise and bequeath to my said wife Martha my mill, mill seat and milling property used wherewith saturated on Hogans Creek in North Carolina, together with the eighty acres of land and improvements thereon near and attached to said mill, and which I have used therewith or therefore. To have and to hold all the property both real and personal in this clause mentioned to her the said Martha M. Walters for and during the term of her natural life and no longer.

It is my desire that my son Wm F Walters and his daughter Mollie Belle may continue to reside and live with my said wife during her life as they have lived with me. I certainly wish them so to live with my wife as long as matters can be made pleasant and agreeable between them.

Then upon the death of my wife it is my will and I hereby direct that my said home tract of land together with all improvements and whatever remains and is not destroyed (*several words unreadable*) be taken and held jointly by my son Wm F. Walters and his daughter Mollie Belle Walters. Said property to be held used and controlled by my said son and his daughter Mollie Belle during the lives of both and each of them but should both of them depart this life before the death of my said wife then it is my will that upon the decease of my wife the property hereby given to my said son and his daughter, that is the home place and whatever remains of the personal estate shall go to and be taken by my daughter Bettie W. Flinn if living, if not, then to her lawful heirs. But should my said Granddaughter Mollie Belle Walters marry and have issue then it is my desire that one half of that to wit left at my wife's death shall go to and be taken by her in fee and other half her father being dead shall be taken by Bettie W. Flinn if living or heirs if dead.

Fourth, It is my will and I hereby so desire that upon the death of said wife, the mill fixtures, appurtenances and belonging including the 80 acres of land attached thereto which I have heretofore given my said wife for life shall go to and be taken by my son Archie E. Walters with this injunction to and upon my said son that he will before he departs this life convey or devise to his son Azariah G Walters, Jr. my grandson the said mill its appurtenances and attached thereto as I give to him my sin Archie should however my said grandson Azariah die under age or before his father then said property just mentioned may go to and be divided by my son Archie to and amongst his children and their heirs as he may deem best.

Fifth, I own three small houses with small parcels of land attached near the far front gate on my home place. One of these houses 3 rooms and painted, I give and bequeath to my granddaughter Mollie Belle the other two I give to my son Wm F. Walters to them their heirs.

Sixth, I give and devise and bequeath to C. G. Holland and his wife, my daughter Mary Catherine to be held by them jointly and in fee simple my tract of land lying in Caswell County, N.C. containing about 206) acres known as my "Knight Farm" together with said son in law and daughter their heirs and assigned forever. I make this devise to my said son in law C G Holland jointly with his wife because there may be some unsettled matters between him and myself which I design this devise or bequeath to settle and make satisfactory.

Seventh, I give devise and bequeath to my son Robert A Walters the lower part of my Broadnax tract of land about 170 acres of which lies in Caswell NC the remainder of the tract lies in Pittsylvania County and makes up with the North Carolina part a tract of four hundred acres or more the tract of land here given Robert and which I here devise to him absolutely in fee simple is divided from the rest of my Broadnax tract, the middle tract rest of my Broadnax tract, the middle tract thereof by a line run by or at the instance of my son Archie several years since and can be easily traced.

Eighth, I give devise and bequeath to my son Archibald E Walters to him and his heirs and assigns in fee simple the middle tract or portion of my Broadnax tract of land on Dan River in Pittsylvania the said tract of land contains five hundred acres or thereabouts perhaps something more and has upon it the Old Broadnax house and improvements the lower line if this tract will run with the upper line of the tract I have devised to my son Robert and the upper line will run with the line of a tract which I design for my daughter Mrs. Flinn.

Ninth, I give devise and bequeath to my daughter Bettie W Flinn in fee simple the remainder or upper part of my Broadnax tract of land the tract of land here devised lies on Dan River wholly in Pittsylvania County and contains five hundred acres more or less and is adjoined on the lower side by the land which I have given to my son Archie and on the upper side by the lands of Archie and on the upper side by the lands Jas. S Stone and his sister Mrs. Stokes all the lands which I have herein devised to my children lies on the South side of Dan River, that given Holland and his wife wholly in North Carolina that given Robert partly in North Carolina and partly in Virginia and the lines bordering the several tracts I have devised them can be readily established from which I have said herein.

Tenth, The tract of land which I have hereinbefore devised to my daughter Bettie W. Flinn is now subject to a trust or lien in favor of Stone for about \$1,600 this lien I design to pay off or satisfy before my death if it please Providence to spare me yet awhile but should I fail to satisfy said lien then I desire that the amount necessary to pay off said debt shall be raised by Holland and his wife, Robert and Archie Walters

and Mrs. Flinn in equal amount and the debt paid and I here charge the lands devised to each of my said Children with his or her proportion of said debt until the same shall be fully satisfied however and It is my desire that the present years crops on all of the said lands except "Home Place" or surplus thereof may be used for the payment of the debt charged upon the lands devised to my four children as named or as much of the proceeds of said crops as be necessary to satisfy said debt. I desire that the stock upon all my said lands except the Home Place as well as crops shall go towards the satisfaction of any debts due by me at my death but it is not necessary for the payment of debts then I wish the stock to go to my children on each plantation as I have devised to them that is I wish the stock on each place to go with the land as devised.

Eleventh, I hereby constitute and appoint Robert A Walters and Archibald E Walters Executors of my last will and testament and having full confidence in them direct that no security be required of them for the duties hereby imposed.

In Testimony of all herein said and declared I thereby set my hand and seal this 23<sup>rd</sup> day of June 1896.

A G Walters (seal)

**(Codicil)**

I Azariah G Walters, being of sound mind and disposing memory do make this codicil to and alteration in my will as above written. Since the execution of my will as hereinabove set forth I have ascertained that there were no necessary settlements between my late son in law C. G. Holland and myself and that I own him nothing therefore I hereby desire to alter the sixth clause of my said will and revoke so much of said clause as given to C G. Holland interest in the "Knight Place" and I do hereby give grant and devise to my daughter May Catherine Holland my tract of land lying in Caswell County North Carolina together with all improvements thereon and appurtenances thereto belonging containing two hundred acres be the same more or less and known as my "Knight Place" and said place to be taken and held by my said daughter in fee simple.

In testimony of all which I hereto set my hand and seal this 9 September 1896

A G Walters (seal)

**(Codicil)**

I Azariah G Walters being of sound mind and disposing memory do make this codicil to my will of date 23<sup>rd</sup> June 1896 By Codicil of 9<sup>th</sup> September 1896. I altered the sixth clause of my said will so as to give in fee simple to my daughter Mary Catherine Holland my Knight Place on Dan River instead of giving the same to herself and her husband the late C G. Holland as had been done in said sixth clause of my will. For good reasons and especially that said C G. Holland had borrowed of my daughter Bettie W Flinn five thousand dollars the whole of which is yet due with interest and no provision having been made for the payment of the same. I have concluded by this codicil to alter my said will and especially the codicil thereto of 9<sup>th</sup> September 1896 so that the amount of said note due my said daughter and the interest thereon shall be a charge upon said Knight Tract in the hand of my daughter Mary Catherine Holland and I do distinct where declare and devise that said Knight Tract of land shall go to and be taken by said daughter Mary Catherine Holland with the lien of said Five Thousand Dollars and interest upon it until the same shall have been discharged and paid to my said daughter Bettie W. Flinn or her assigned or representatives and it is further my will and desire and I hereby direct that the rents and profits of said

Knight tract of land shall land shall be annually collected for five years and the proceeds applied by my executors hereinfore named to the debt due of \$5,000 due Bettie W. Flinn and should said debt not be paid within the space of five years as foresaid then my executors after proper notice shall make sale of said Knight Tract of land upon such terms as they may deem just and best and apply the proceeds of said sale to the payment of the five thousand dollars and interest due Bettie W Flinn or whatever of the same shall remain unpaid and the remainder of such proceeds they shall pay over to my daughter Mary Catherine Holland. My distinct and clear intention is that from said Knight tract of land or the proceeds thereof the debt and interest hereinbefore named as due from the late C. G. Holland to Mrs. Bettie W Flinn shall be paid to her the said Bettie W. Flinn and whatever remains or is left of or from said Knight tract of land shall go in fee simple to my said daughter Mary Catherine Holland and not otherwise. Of Course if my daughter Mary Catherine Holland shall pay off and discharge the five Thousand dollars and interest due Bettie W Flinn or if the same shall be paid off and discharged from some other proper source within five years hereinbefore provided then it is my will and I so direct that said Knight tract of land shall go to Mary Catherine Holland as directed in the codicil of 9<sup>th</sup> September 1896 If such payment is not made to my daughter Bettie W Flinn within five years as aforesaid then I wish the directions herein contained be fully carried out. I desire this paper to be taken and considered as a part of my original will and its devises and bequeaths regarded as if in the body of my said will, This 2<sup>nd</sup> codicil is upon two pages of paper and should be attached to and considered along with my will as part thereof.

In witness whereof I have hereto set my hand and seal this 15<sup>th</sup> day of November 1897.

A. G. Walters (seal)

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It appears that over the years Bettie Walters Flinn's family became the owners of the property where "Grove Park" is today. A deed between The First National Bank of Danville, Virginia, Trustee under the will of Calvin Maurice Flinn, deceased and Forest Hills Development Corporation for \$50,000 conveyed to Forest Hill Development Corporation "all of the certain tract land, known as "Cottage Grove Farm."

Calvin Maurice Flinn (1883-1948) was the son of Bettie Walters Flinn. Calvin Maurice Flinn(1918-1997) was Bettie's grandson and he was the great Grandson of Azariah Grave Walters.

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#### Broadnax Tract

The original land which became the "Broadnax Tract" was part of land grant received by William Wynne in March 16, 1771. In 1778, Wynne sold the property to Thomas Fearn. The land changed hands several time and on October 17, 1843 the property which had grown to 1,050 acres was sold to John W. Broadnax. In December 1858, Broadnax sold two tracts of land totaling 1,000 acres to Captain Azariah Graves Walters for \$40,000. In 2018 dollars this would have been worth \$1,172,491.56.

Wynne's Falls, named for William Wynne, was the name of the town before it became Danville, Virginia.

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In this article there is much about Christopher Grant Holland in the two codicils. The debt he owed Bettie Walters Flinn of \$5,000 in 2018 dollars was worth \$141,075.24. When Christopher Grant Holland

died his brother covered his debt. In addition to the \$5,000 he owed \$148,000 that at his death, his brother John William Holland covered this debt which in today's dollars would be worth \$4,507,556.

I have another article which I called, Christopher Grant Holland's Final Failure. It seems he was heavily in debt when he died in 1896.

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In 2012 the property that was once the "Broadnax Tract" was sold and the City of Danville, started work to develop a new site for industrial development on the property that was once the "Broadnax Tract."

Protests were held citing the old Fearn burying ground on the property. Fearn was the first owner of what became the "Broadnax Tract."



"Cottage Grove" Walters Home Place now Grove Park

Broadnax Tract

Site of Walters' Mill

Two grandson of Captain Azariah Graves Walters lived on the middle part of the "Broadnax Tract" that their father Archibald Edmunds Walters inherited from his father. Edmund Richardson Walters (1873-1958) and Azariah Graves Walters (1871-1961) lived in the old Broadnax house. One source said, "the

last known occupants were two elderly bachelors who raised chickens and kept their doors open year-round.”

Both brother are buried in Greenview Cemetery in Reidsville, North Carolina.