

James Maxwell Will

In the name of God Amen, I James Maxwell of Ashe County North Carolina being of sound mind & memory blessed be God do this 14 day of October in the year of our Lord 1843. make & publish this my last will & Testament in the manner following that is to say.

First I give & bequeath unto my beloved wife Polly Nine Hundred Acres of land including my dwelling & home place & three negroes named Minny Hannah & Preston, & three head of choice Horses which she is to have the choosing and Thirty five head of Cattle and all the stock of hogs sheep geese & poultry which I possess & all my house hold & kitchen furniture & all my farming utensils and black smith Tools & a new Wagon which I have on hand all of which land & property I give & bequeath unto my wife Polly during her natural life Tined and after her death to belong to my son William Maxwell.

I give & bequeath to my first wife children all of my negro property except those above named left to my wife and back & first children which is to be sold for the purpose of paying my debts. all the balance to be equally divided among them. Balth Ballow & Solomon Wyatt accounting to the other heirs, what they can receive, and after paying to John McMillan Three Hundred Dollars out of the price of said negro property I wish the balance of my land sold on a credit of twelve months the proceeds of the sales thereof to be applied to the payment of my debts if needed if not to belong to my wife Polly, my best Cattle I want sold for ready money and applied to the payment of my debts all notes and debts due to me I wish to be applied to the

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payment of my debts, the balance of my  
stock of horses and cattle not given to my  
wife to be sold on a twelve months credit  
to be applied to the payment of my debts  
I wish my wife to have as many of my  
Books as she desires, & the balance to be sold  
& applied as above directed. All other articles  
or species of property found belonging to  
me I wish to be sold on a twelve months  
credit and applied to the payment of my  
debts if needed if not the proceeds to be paid  
to my wife Polly. further I give and bequeath  
to John the Song one Sorrel mare & two Colts  
known as the mare and colts she now  
claims

And I hereby make and ordain  
my worthy friends Noah Song & Charles  
Solivet. Executors of this my last will  
& testament. In witness whereof I the said  
James Maxwell have to this my last will  
& Testament set my hand & Seal this the  
day & year first above written.

Signed sealed published  
& declared by the said James  
Maxwell the testator on his last  
will & Testament & the presence  
of us who were present at the  
time of signing & sealing  
thereof.

Test. Allen Smith  
C. Doughton

James Maxwell

I hereby empower  
Noah Song to make  
a bill of sale to both  
the children  
for Maxwell