

belong to my daughter, Catharina Probst, for herself and her heirs, so that she shall not be bound to give any one an account over it, but shall use the same for her own free use as it pleases her."

For the executor of this testament I order Heinrich Probst, Jr.  
This is my last will.

But that everyone may know that the above is my earnest intention, so, as I am inexperienced in writing, I have had my name and seal placed under this in the presence of two witnesses. Done in Cabarrus County, State of North Carolina, on the Ninth day of March, in the year of the Lord One Thousand, Eight Hundred and Two, and in the Twenty Sixth year of the Independence of the United States of America.

Witnesses

John Suther  
G. Friesland  
Jno. Misenhimer

her  
Catharina X Abendschein (Ls)  
Signed

(Translated from the original in German)

Will of Jacob Dayvault.

IN THE NAME OF GOD, AMEN. I, Jacob Dayvault of the County of Cabarrus and State of North Carolina, am in a reasonable state of health and of perfect mind and memory thanks be to GOD for it and calling to mind that it is once appointed for all men to die, do make this to be my last will and Testament. And first of all I recommend my soul into the hands of ALMIGHTY GOD that gave it me and my body I recommend to the Earth to be buried in a decent Christian like manner and hoping at the Great Day of Resurrection I shall receive the same again by the mighty Power of GOD. And as touching such worldly Estate which it has pleased GOD to bless me with I dispose of in the following manner and form. First, it is my desire that all my just debts and Funeral expenses shall be paid out of my estate before any division be made.

Item I. I give & give & bequeath to my beloved wife, Elizabeth Daywalt, my dwelling house, two bedsteads and furniture thereunto belonging, one chest & two iron pots, two skillets and wash kettle my loom and tacklings thereunto belonging, my bookcase and as much of the kitchen and dresser furniture as she may want, one spinning wheel, one check reel & one pair of Chards & all my chairs & my table two water pails, two washing tubs, one meat tub, one crout stand, Dough tray and bread basket, my coffee mill, one Psalm Book and two cows, her choice, & all the cotton, wool, Flax, and Toe, yarn and Linen that I have or may have one breeding sow & five other hogs her choice and her choice of my Horses

and saddle and bridle. This for my beloved wife during her lifetime or marriage.

2nd. I give and bequeath to my beloved son, David Daywalt my plantation whereunto I now live, excepting the west of the Fence that runs along close to Daniel Sephrets House, and the line is to follow the Fence as it now stands, and at the corner of the Fence close by some appletrees the line is to turn and follow the Fence as far as the (Fence) goes & then to & then to keep the same course through the field and woods to the line be the same more or less. And also my Penny plantation except fifty acres along the open line next Barringers, these lands to be my sons after the death of his mother, and I also give to my son, David my waggon, Log chain, Breech band & two pairs of Horse geers & my sorrel mare & one Bareshare plough & one shovel plough and Double-trees, one axe & two iron wedges & my windmill & cutting Knife & my whetstone, two corn Hoes and he the said David my son is to furnish his mother yearly with a plenty of Firewood ready cut & to make her fire in the time of need & to take good care of her in the time of sickness & health, and to have her garden always in good order as it ought to be & to sow her a quarter of an acre of Flax in good ground & ten Bushels of wheat & fifteen Bushels of corn & one hundred pounds of pork with the lard & twenty pounds of Beef & 25 lbs. of sugar & 5 lbs. of coffee two pounds of pepper this to be done yearly, this for my son David & his Heirs forever.

I give & bequeath to my daughter, Sarah Sephret the west side of the above mentioned line of my plantation Whereunto I now live be the same more or less, and also fifty acres of my Penny land adjoining the open line next Barringers, for the term of twenty years from this date and then it is to belong to her daughter, her first Born Cornealy and if the first child should die without Heirs of her body the land then falls back to my son, David Daywalt and the said Daniel Sephret is to give his wife's mother yearly as long as she lives five bushels of wheat & ten bushels of corn, five pounds of sugar & two & half pounds Coffee this for my daughter Fanny Daywalt her & her Heirs forever.

4th. I give & bequeath to all the rest of my children an equal part of all the remainder of my property after my death. It is my desire that the Executors shall set up at publick sale my House & Lot in Concord, my negro girl & chile and all and every other piece of property not willed to the highest bidder & the money to be equally divided amongst my above mentioned children (namely) Michael, Barbara, Jacob, Elisabeth, John, George & Susa for them and theirs Heirs forever and also after the death of their mother all the property that she may have to be sold & equally divided amongst my six aforesaid children for them & their Heirs forever.

5th. I do nominate my beloved son, Jacob Daywalt and my son-in-law,



Charles Walter to be my Executors of this my last Will & Testament. In witness whereof I have hereunto set my hand and affixed my seal this the 25th day of February, 1822.

Signed, sealed in the presence of

Samuel Shinn  
Daniel Sephret

Jacob Daywalt (Seal)

N.B. Added to my last will & Testament that my son David Daywalt shall pay one Hundred Dollars to all his brothers & sisters in equal shares. He shall pay it two years after his mother's death.

Signed & sealed this 19th day of

April, 1822.

George Boger

Jacob Daywalt (Seal)

(Probated July sess. 1822)

(Adm. on estate of Elizabeth Daywalt was given at Oct. sess. 1822 to John Mitchler with Jacob Daywalt and Charles Walters security)