

In the event of my wife's marriage or death I give to my son John the lower field being a part of the said plantation (leaving out the wind mill and lot of ground upon which it stands) as it is now fenced. I also give to my slave Frank, - and to my daughter Mary I give my slave girl Julia & to my daughter Margaret I give my slave boy Huff. & To my son William I give the lands which I own from my father's lands, consisting of two pieces of cleared land, and one piece in the round swamp. I also give him slave boy Jerry - and to my son David I give the balance of the plantation before mentioned (where I now live) with the out land belong to the same tract, together with that portion (at her death) which has been given to his mother during her life - I also give him a slave boy named Isaac. To my daughters Sarah and Kate I give a slave girl named Fidelity and to my daughters Lydia Ann and Ida I give a slave woman named Harriet, together with her future offspring if any.

My Mother has a dower right in the lands which I have given to my son William - should she, in any event think it proper to occupy them, I lend her my old negro woman Ann as company & help - if the said Negro should survive her, it is my wish that the said old Negro should choose her residence with my wife or either of the children who shall take care of her during the balance of her days.

The mill and lot as it now is I give equally between my two sons John and David.

The tract of land at North River, adjoining the lands of T. P. Chadwick & others, I give to my three sons John, William and David.

All other lands, horses, cattle and perishable property to be sold, and the proceeds applied to the support and education of my daughters Kate, Lydia Ann and Ida.

All notes accounts and debts due me to be collected

as far forth as possible; out of which pay all necessary charges and expenses together with what I may owe. The balance to be divided among my children as follows: To William, David, Sarah, Kate, Lydia Ann and Ida, two shares each, to John and Mary one share each & also one share to Margaret.

I constitute my sons John M. Whitehurst and Alfred C. Chadwick, executors to this my last will and testament believing that they will faithfully execute the trust in case of my beloved wife's death or marriage. Should she remain single and live until the children are all of age or married, or at any intermediate time should she see satisfactory cause to transfer to any of the children the legacies herein bequeathed, or any part thereof; it is my wish and desire that she should do so. Given under my hand and seal at Travis, Carters County, N. C. the 5th day of Sep. 1856.

D. W. Whitehurst (Seal)

It is so far as Margaret is concerned on the 29th day of April 1861, & affirmed, as it now reads, on the same day.

C. W. Whitehurst

I deposit this with my private papers, and desire it to be faithfully complied with in case I should not return. Apr. 29 1861.

D. W. Whitehurst

Carters County Court, May Term 1866.

The foregoing paper writing, purporting to be the last will and testament of David W. Whitehurst deceased, is submitted for probate in open Court by John M. Whitehurst, one of the executors therein named, and it is thereupon proved by the oath and examination of the said John M. Whitehurst that the said will was found among the valuable papers of the said David W. Whitehurst, after his death; and it is further proved by the oath and examination of these competent and credible witnesses, to wit: Samuel Jeffers, Nelson Davis and James Ramsey, that they are acquainted with the hand writing of the said David W. Whitehurst, having

often seen him write, and verily believe that the name of the said David W. Whitehurst, subscribed to the said will, and the said will itself, and every part thereof, are in the hand writing of the said David W. Whitehurst, and it is further proved by the evidence of the two last mentioned witnesses, that the said handwriting is generally known to the acquaintances of the said David W. Whitehurst. It is therefore considered by the Court that the said paper writing and every part thereof is the last will and testament of the said David W. Whitehurst, and the same is ordered to be recorded and filed.

Jas. Rumley, C. C.

John M. Whitehurst, Executor, qualifies as such by taking the oath required by law.

I, Watson Lawrence of the County of Gaston State of North Carolina, being of sound mind and memory, but considering the uncertainty of life, do make and declare this my last will and testament, in manner and form as follows, that is to say:

Item - That my executor (hereinafter named) shall provide my body a decent burial, suitable to the wishes of my relations and friends and pay all funeral expenses, together with my just debts, if any, out of the moneys that may first come into his hands as part or parcel of my estate.

Item - I give and bequeath unto my wife during the term of her natural life, the use and possession of the plantation on which I now reside, with the dwelling and out houses and all fixtures thereunto attached, and all other lands that I possess, together with the household and kitchen furniture and working tools of every description, except such as shall be otherwise disposed of in this will, also three cows of her choice, and all my stock of hogs - also forty dollars in cash.

Item - I give and bequeath the above named plantation and lands to my son Laban Lawrence, to take effect at the death of said wife, to him and his heirs forever.

Item - I give and bequeath to my son Jennings three hundred dollars (\$300) out of my estate, to be put out at interest by my executor and used at his discretion, for the benefit and support of my said son Jennings to whom I also bequeath one bed and furniture.

Item - I give and bequeath to my daughter Rachael Pine the sum of fifty dollars.

Item - My will and desire is that all the residue of my estate of every description (after taking out the debts and legacies above mentioned) shall be sold and the debts that may be due to me collected, and whatever surplus may be left, after paying debts expenses, shall be equally divided and paid over to the children of my said daughter Rachael Pine and the children of my deceased son Asa Lawrence, share and share alike, to them and each of them, their executors, administrators and assigns, absolutely, forever.

And lastly - I do hereby constitute and appoint my friend David W. Whitehurst my lawful executor to all intents and purposes to execute this my last will and testament according to the true intent and meaning of the same and every clause and part thereof herein revoking and declaring utterly void, all other wills and testaments by me heretofore made in witness whereof I the said Watson Lawrence do hereunto set my hand and seal this 20th day of January A. D. 1860.

Watson Lawrence ^V ^(Seal)
Signed, sealed, published and declared by the said Watson Lawrence, to be his last will and testament, in the presence of us, who, at his request, and in his presence, do subscribe our names as witnesses thereto.

John Lawrence, David W. Lawrence,
William H. Whitehurst.