

Record of Wills.

In the name of God Amen.

I D.W. Odell of the County of Cherokee and State of North Carolina, being weak in body and sound of mind, memory and understanding. Praise be God for the same. Do make this my last will and testament in manner and form as follows

- 1st I give devise and bequeath unto my two youngest daughters all the household and kitchen furniture
- 2nd I also give and devise to said daughter Cinthia and Oeta three Cows and two Calves also 2-yearlings about fifteen head of Sheep, also thirteen head of hogs
- 3rd I further give devise and bequeath to said two daughters the following described lands to wit:
The lands on both sides of the creek known as the Donation lands containing ^a ^{acres} more or less, except ten acres more or less devised to C.B. Odell. Entry No. 7869 grant issued the 30th day of Dec. 1887. Containing 57 acres. Also one Entry containing 38 acres (except two acres belonging to C.B. Odell)
All of the aforementioned and described property I give devise and bequeath to my two youngest daughters Cinthia Odell and Oeta Odell to share and share alike, to have and to hold equally to each, to them and their heirs forever
- 4th I give and devise to Cinthia Odell one Sound Horse seven years old to have as her own property.
- 5th I give devise and bequeath to my daughter Josephine Joseph the Superior Advantage she had over my other daughters when young, also the further sum of five dollars out of my estate.
- 6th I give devise and bequeath to my son Thomas & Napoleon B. Odell one tract of land known as the Bear branch ^{they own} containing 236 acres to have and to hold equally to them and their heirs and assigns forever
- 7th I give devise and bequeath to my son C.B. Odell all of that tract of land known as Grant No 3819.

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on the north side of the Creek and adjoining Donation, not before sold to said C.B. Odell to have and to hold to him and his assigns forever.

All these bequest I make before my bed and in view of my approaching dissolution, and my last and final request is that my Children will attend to my own and my wife's burial expenses & pay whatever of debt I may leave

I appoint my friend E. A. Duvall and my daughter Cinthia Odell my executor and executrix & pray that they will see that my last will and testament is executed

In testimony whereof I have hereunto set my hand and seal in the year of our Lord 1888. and the 21st day of August in the presence of ~~the~~ witnesses

J. W. Odell *(Seal)*
J. W. Patton
W. H. Loringgood

State of North Carolina
Cherokee County.

In the Superior Court
Oct. the 5th 1888.

A paper writing purporting to be the last will and testament of D.W. Odell deceased is exhibited for probate in open court by Cinthia Odell Executrix therein named.

And the due execution by the said D.W. Odell is proven by the oath and examination of J. W. Patton and W. H. Loringgood the subscribing witnesses thereto. 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 D.W. Odell, and the same is ordered to be registered and filed.

And thereupon the said Cinthia Odell and E. A. Duvall executrix and executor of said duly qualified as such by taking the oath required by law.

Given under my hand and seal at Office in Murphy the date above written
D. W. Duvall Clerk
Superior Court.

State of North Carolina, Burke County.
Be it Remembered, That at a Court of Pleas and
Quarters sessions, opened and held in and for the County
of Burke, and State aforesaid at the Court House in
Wilmington on the 5th Monday after the 4th Monday in
February 1868 at being the 30th Day of March 1868
Present the worshipful Justices

J. J. Erwin.
W. A. Dorsey.
J. C. Hallyburton

When and where the following proceedings were
had to wit:

State of North Carolina
Burke County.
Court of Pleas and Quarters Sessions

Spring Term 1868.
To the worshipful the

Justices of said Court, The Petition of John R. Suddeth
William S. Suddeth Robert McCombs a wife Ann
E. McCombs, William H. Powell and John M. Powell
by their Guardian Joseph Coopering Eleanor
Elizabeth Charles Andrew & Mildred Augustus
Suddeth by their Guardian John R. Suddeth.
W. S. Suddeth, W. S. Suddeth & Joseph Coopering
Robert H. Slough Hiciah Singleton Byard Williams
and wife Delena William Dockworth and wife
Catharine James V. Liles S. Marcus P. Rufus W.
& Lucius Singleton.

Petitioners,

Your petitioners humbly complaining & showing
your worships that John Suddeth late of said County
departed this life in the month of February 1865 having
made and published a last will and testament, in the words
and figures following to wit:

In the name of God Amen I John Suddeth of
the County of Burke and State of North Carolina
being of sound and disposing mind and memory do
make, publish and declare this paper writing to be and
contain my last will and testament To wit:

I Resign my Soul unto Almighty God who gave
it, and direct my body to be buried in a becoming manner
in my family Grave yard over to and under the

deceased wife as deposited, and that my executors hereinafter
named pay my funeral expenses out of my estate. I direct
my executors to pay all my debts if I shall be indebted to any
person at the time of my death. Touching such real & lly estate
as it hath pleased Almighty God to bestow upon me
I wish it to be disposed of in the following manner To wit:
I desire and direct my executor to cause all my negro slaves
to be brought together in the County of Burke and when so
congregated to take out a Negro woman named Lucy now
in the possession of Hiciah Singleton also a negro girl
named Mary about 7 or 8 years old whom I purchased
from Ficus Little also a Negro Boy named Thomas about
4 years old child of a woman named Puckey and when
they are so taken out to cause the balance or remainder to be
divided and set apart in six lots of equal value, and
when so divided and set apart, I give and bequeath one lot
to my Son William S. Suddeth during his life with re-
mainder over to his children, one lot to my Son John R.
Suddeth during his life with remainder over to his child-
ren if he shall have any born in lawful wedlock.

But if he have no children born in lawful wedlock, then
to himself absolutely. One lot to my son John R. Suddeth
in trust for the sole and separate use and benefit of
my daughter Ann E. McCombs wife of Robt McCombs
during her life with remainder to her children, and I
direct the said Justice to allow my son in law, the said
Robt McCombs to have the management and control of
the said negroes, as long as he continues to do well and
keeps out of debt, so as to enjoy for himself and his family
the proceeds of their labor during the lifetime of his said wife
Ann E. McCombs. One lot I give and bequeath to my
two grand children William H. Powell and John M. Powell
children of my deceased daughter Mary A. Powell, and should
either of them the said William H. or John M. die before
arriving at the age of 21 years and leaving no issue born
in lawful wedlock then the lot or share of the one so dying to
go to the survivor and his heirs. If both of my said grand
children shall die without arriving at the age of 21 leaving
no issue surviving, then their lot or share of said property
must be divided among my other children and my grand
children per stirpes. And I further direct my executor
to keep said lot of negro slaves in their custody and possession
and to hire them out annually until John M. Powell reaches