

Will of Sutton Byrd Sr

I Sutton Byrd Sr of the County of Johnston and State of North Carolina being of sound mind and memory but considering the uncertainty of earthly existence do make and declare this my last and testament in manner and form following that is to say

First- That my executor shall provide for my body a decent burial suitable to the wishes of my relatives and friends and pay all funeral expenses together with my just debts howsoever to whomsoever owing out of the monies that may first come into his hands as a part or parcel of my estate.

Item I give and devise to my beloved wife forty acres of land to be set out by metes and bounds on the tract whereon I now live so as to include my mansion house all out houses & other improvements to have & to hold to her the said Peggy Byrd for and during the term of her natural life or widowhood in satisfaction and in lieu of her dower and third of my real estate.

I further give and bequeath unto my beloved wife two cows and ten sheep one bed bedstead and all the necessary furniture belonging to the same kitchen furniture & earthen ware one sideboard & one spinning wheel & cards & one loom & my horse and gear, one plough & two flashoes. And I furthermore devise that she shall have left for her years support twenty barrels of corn three stacks of fodder, six hundred lbs of bacon twenty pounds of lard 12 pounds of coffee 5 gallons of molasses and all dung hill fowls.

Item I give and devise to my eldest daughter Sarah one bed & stead and its necessary appendages twenty five dollars in money in lieu of her interest in my land.

Item I give and devise unto my second daughter Susan one bed & stead with all the necessary appendages, twenty five dollars in money in lieu of her share in my land.

Item I give and devise unto my son Washington all of tract of land containing 170 acres as will more fully appear by having reference to a certain deed heretofore made and executed proven and registered & dated April 17th 1852 I further bequeath unto him twenty five dollars in money for purchasing him a bed.

Item My negroes Joe & Keinta who are likely to become paralytic, I therefore hereby direct that my executor shall defray all necessary expenses incurred by them out of the monies coming from the other proceeds of my estate.

Item

My will and desire is that all the residue of my estate if any after taking out the debts and legacies above mentioned shall be sold & the debts owing to me collected and if there should be any surplus over and above the payment of debts, expenses & legacies that such surplus shall be equally divided & paid over to my three children (viz) Washington Sarah and Susan in equal proportion shares and share alike to them each and every of them their executors administrators and assigns absolutely forever.

And lastly I do hereby desire that the worshipping court of the County of Johnston will constitute & appoint some suitable person as executor to execute this my last will and testament according to the true intent and purpose meaning of the same and every part and clause thereof hereby revoking and declaring utterly void all other wills & testaments by me heretofore made. In witness whereof I the said Sutton Byrd Sr do hereunto set my hand and seal this the 15th of February A.D. 1856.

Signed seal published and declared by the said Sutton Byrd to be his last will and Testament in the presence of us who at his request & in his presence do subscribe our names thereto.

W. H. Lambert.

W. Lambert.

Sutton Byrd Sr

Johnston County Court
November Term 1857.

Then was this paper writing exhibited in open court and duly proven by the oaths and examinations of W. H. Lambert and W. Lambert to be the last will and testament of Sutton Byrd Sr deceased and ordered to be recorded.

Thomas D. Sneed c.c.c.