

Alfred M. Burton's Will

Batys Ford February 8th 1856

I, Alfred M. Burton of Batys Ford, Lincoln County N^c do on this 8th February 1856 make and publish this as my last Will and Testament—

I appoint my friend and son in law Robert L. Young of Cabarrus the Executor and Trustee and my daughters Mary L. & Frances C. the Executrices and Trustees of this Will. I request that my friend the Hon. Richmond Pearson will act as adviser so far as he can consistently with propriety in the office he holds—

I give to my beloved wife during her life or widowhood such portion of my land and personal property (except negroes, bank stock, Bonds and other evidences of debt) as she may choose to retain for the joint and comfortable support and maintenance of herself and my two single daughters Mary L. & Frances C. I likewise give to her for pocket money the dividends on ten (10) shares of Capital Stock in the Bank of the State and the interest on one State Bond of one Thousand dollars this bequest to cease in case she should wish to get married again. if she does then to have an equal share with my children each.

I commit to her the care of my old servants Virgil and Lewis during her life, She my wife has enough negroes of her own.

To my daughter E. W. Hoyle. I give the tract of land known as the Leak Hutchinson tract, the one above that known as the Meir tract being lots 12 & 13 of the Hutchinson tract, and as much of the Jonathan Hutchinson tract as will give to her the whole of the big bottom or Stockman bottom on the Catawba river and all that part of the tracts of said conveyed to me by Henry Bartley and Berry as lie to the North of or above a line in continuation of the dividing

Hutchenson tract, the one above that known as the Meir tract being lots 1st 2^d & 3^d of the Hutchenson tract, and as much of the Jonathan Hutchenson tract as will give to her the whole of the big bottom or Leckman bottom on the Catawba river and all that part of the tracts of said conveyed to me by Henry Parkley and Berry as lie to the North of or above a line in continuation of the dividing line between the Jonathan Hutchenson & Leah Hutchenson Lots. I likewise give to her negro boy George, Sarah and her children Levina, Washington & Nancy with the request they be not hired out. I give her ten ¹⁰⁰ Shares of Capital Stock in the bank of the State of N. C. one bond (State Bond) of one thousand dollars, Ten 10 Shares of Stock in the Charlotte, and three hundred dollars to aid in putting up buildings as there are none of value on the land. I likewise give to her the little sorrel horse Billy, one good Cow & Calf, good sow, ten sheep, one hundred bushels of corn, twenty of wheat if she goes to house keeping, one fourth of my Library.

To my two single daughters, Mary L & Frances L. I give and devise the tract of land on which I live containing about 950 acres and being the tract on which my house ^{stands} conveyed to me by W^m John Hullenwider, the tract conveyed to me by Thomas Peaty, the small piece between the house and the River conveyed to me by Robert A. Burton, the Jonathan Hutchenson Lot joining to the Thomas Peaty land (except the portion of the big Bottom given to E. W. Hoyle) and all that part of the Jacob Perry land and the land conveyed to me by Henry Parkley lying to the South of a continuation of the dividing line between the Leah & Jonathan Hutchenson Lots to Edwards, and give Abram to attend the Mill it is my wish they take charge of the Mill immediately and allow the grain for the family and each of their sisters to be ground free of Toll. I give to them jointly

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my old servants, Virgil and Lewis subject to the care of their Mother, but that Virgil may have the liberty of going with his wife if he chooses, I give to them jointly the negroes, Kitty, Patey & her child Amy, Manerva & her two children Mary & John, and four good beds, bedsteads and furniture two dozen good chairs, the house Clock, Tables, Two good new sets or dozens of knives & forks China press, Desk, and in fact all house hold and kitchen furniture suitable to their rank and condition in life, a good Wagon and team of horses or mules, a plantation Wagon and yoke of Steers five 5 good Cows & 60 hives twentyfive head of Sheep and hogs to stock the farm.

I give to my daughter Mary E. negroes Nero and John (son of Patey) fifteen Shares of Capital Stock in the bank of the State of N. C., Ten Shares of Stock in the bank of Charlotte and one State bond of one Thousand dollars one fourth of my entire Library.

I give to my daughter Frances C. negroes, Horace & Cyrus, fifteen Shares of Capital Stock in the bank of the State of N. C. Ten Shares of Stock in the Charlotte Bank and one State Bond of one thousand dollars one fourth of my entire Library.

To my daughter Sarah Virginia I give the tract of land commonly called the Clark place being the tract conveyed to me by William Clark and the two adjoining tracts called the Lockman land, the negroes Stephen, Baldy and Martin, Ten Shares of Capital Stock in the Bank of the State of N. C. ten Shares of ~~the~~ Stock in the Charlotte Bank and one State Bond of one thousand dollars, and one fourth of my entire Library, and the negroes heretofore

Charlotte Bank and one State Bond of one thousand dollars, and one fourth of my entire Library, and the negroes heretofore given her ~~Charles~~ ^{Eden} and all her increase heretofore & hereafter.

To my son Robert A. Burton I give the woman ^{Grace} heretofore given to him and in addition to the property given him including Grace and all her increase before and after this time I give him the interest ~~in~~ dividend on ten shares of stock during his life or one hundred dollars annually to be paid ~~at the option of my Executors~~ ^{at the option of my Executors viz;} either the money or dividend but to amount to one hundred dollars, and remit all debts due to me from him.

I give to Major R. J. Young five hundred dollars and all expenses in full satisfaction for executing this Will, I likewise give to him my Gold Watch and Gold sleeve buttons, wishing him to give them to his son Alfred when he is capable of taking care of them.

If my son William should (contrary to my expectation) prove to be alive, I give him the use of a negro boy and one hundred dollars annually during his life or until he can support himself genteelly the boy not to be taken out of the County without the consent of my Executors and remit all debts due me from him.

It is my Will that if the land willed to my daughters, Mary and Frances is not sowed in Wheat when they take possession that they have one half the crop then growing, as much corn and provisions of all kinds as will last them one year, I give to each of them half a dozen large silver spoons, half a dozen silver Tea spoons, one dozen large silver forks (jointly) and an equal share

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of my silver Plates, when each one has her share as much as has been given to their sisters, then the balance of my plates to be equally divided between my four Daughters, the Legacies of Spoon &c heretofore given to my Daughters Mary & Frances not to be taken into the account.

All the rest & Residue of my property Viz; my lands in Catawba, lands in Cleveland the balance of my bank Stock, I wish to be applied by my Executors to the payment of my debts, and after doing so to be equally divided amongst my four daughters, I wish no public sale of my property, the legacies heretofore given is in full payment of the balance of a legacy to my daughters from their Grand Father if not exhausted in their education.

If any difficulty should arise in the construction of my Will it is my wish that my Executors select three disinterested gentlemen to settle it with the advice of Judge Pearson or such other as they may select.

Signed, sealed and published as and for the last Will and Testament of H. M. Burton on the day aforesaid.

Signed, sealed and

published in the presence of

John H. Goodson Jurat

H. C. Hamilton, Jurat

H. M. Burton Seal

Witnessed & attested 29th July 1856.

A Council to this Will, I give to my daughter Elizabeth the Gold Watch bought for me, which belonged to her Brother John to be given to her son when she chooses, I request that Three hundred dollars

equally divided amongst my four daughters, I wish no public sale of my property, the legacies heretofore given is in full payment of the balance of a legacy to my daughters from their Grand Father if not exhausted in the education

If any difficulty should arise in the construction of my Will it is my wish that my Executors select three disinterested gentlemen to settle it with the advice of Judge Pearson or such other as they may select.

Signed, sealed and published as and for the last Will and Testament of A. M. Burton on the day aforesaid

Signed, sealed and

published in the presence of {

John H. Goodson jurat

H. C. Hamilton, jurat

A. M. Burton Seal

Chancery 8th Feb 1856.

A Codicil to this Will, I give to my daughter Elizabeth the Gold Watch bought for me, which belonged to her Brother John to be given to her son when she chooses, I request that three hundred dollars be paid to my son Robert for a debt due to him from his Brother William and twenty five 25 shares of stock in the Charlotte Bank

I wish my Daughters Mary and Frances to have one year provisions and all articles for her ^{keeping} ~~house~~ ^{keeping} house and farming

H. C. Hamilton jurat

A. M. Burton Seal

28th February 1856.

July Sessions 1857.