

Benjamin Leggett's Will Continued

One Chest, One Clock, One Cart, three ploughs, one Bridle & saddle, two
Hocks, Bess, and Kitchen furniture, the above articles, to be selected
by herself.

Item 5th I give and bequeath to my sons William Leggett, Ino B
Leggett and Joseph B Leggett my Mill & mill fixtures & wood
equally, and to their heirs forever.

Item 6th I give and bequeath to my son John B Leggett the fol-
lowing tract or parcel of land, bounded as follows, Beginning
at the Mill, running thence with the Mill Path to Gum Branch
to Richard Apple Tree, thence along Apple Tree to the swamp, thence
along the Swamp to the various places, to the Swamp to the beginning
to have and hold the same and his heirs forever.

Item 7th I give and bequeath to my son Joseph B Leggett and
his heirs forever, all my land that lies in the North Side of
his heirs forever, all my land that lies in the North Side of
Grandy Creek and on the west side of Turkey Swamp.

Item 8th I give and bequeath unto my son William Leggett and
his heirs forever a tract of land Batted & bounded as follows.
Beginning at an Oak, William Leggett, Corner along the Mill, run-
ning thence down Turkey Swamp to the New Road, thence along said
Road to William Leggett's Corner, thence along William Leggett's line
to the Beginning.

Item 9th The Negroes, Ben, Vice and Jones I leave to my wife and the rest
of the property mentioned in Item 4th after the death of my wife I give
and bequeath to be equally divided between my children now living
and their heirs forever.

Item 10th I give and bequeath to my three Grand Children, Benjamin
Swain, Emma Eliza Swain and John Ransom Swain my negroes
Cherry and her increase to be equally divided between them and
in case either of them should die, leaving no child or children,
thence the same or her increase equally, and in case they should all die
without issue then the said Negro and her increase to be equally divided
between my children now living and their heirs forever by Emma
Roberson, William Leggett, Ino B Leggett, Ino B Leggett & Mary Child
Item 11th It is my will and desire that all the balance of my Negroes
not heretofore mentioned together with the residue of my estate of every
kind and description shall be divided equally among my children
now living and to their heirs forever.

And lastly, I do hereby constitute and appoint my two sons John B
Leggett and Joseph B Leggett my lawful executors to all intents
and purposes, to execute this my last will and testament according
to the true and intent and meaning of the same - hereby revoking and
declaring all other wills and testaments by me heretofore
made - In witness whereof I the said Benjamin Leggett do hereunto
set my hand and seal this 25th day of January, 1869.

Signed and published solemnly by the said Benjamin Leggett
to his last will and testament in the presence of

Benjamin Leggett, Will Continued

us who at his request and in his presence
do subscribe our names as witnesses thereto

"John Nally

"Saml W Nally State of North Carolina
Marion County

Feb. Term 1864

Then was the foregoing
paper according purporting to be the last will and testament of Benjamin
Leggett exhibited in open Court for probate by Ino B Leggett
and the Executors therein named, and the due execution thereof, the
said Benjamin Leggett proved by the Oath and examination of John
Nally, one of the subscribing witnesses thereto - It is therefore Ordered
by the Court that the said paper according and every part and
clause thereof is the last will and testament of the said Benjamin
Leggett and the same is Ordered to be recorded & filed, and
thereupon the said John B Leggett Executor of said and duly
qualified as such by taking the Oath required by Law.

J. H. Harrell Clerk

Mattha Cushing's Will

State of North Carolina } I know all men by their
Marion County } presents that I Mattha Cushing

being in sound mind and memory thanks be to God for the
same but knowing the certainty of death do make and
ordain this my last will and Testament as follows to wit
after paying all my just debts

1st I lend to my niece Louisa S. Harrell one negro woman by the
name of Malotia also one negro girl by the name of Margaret
during her life and at her death to her children to them and their
heirs forever them and all their increase

2nd I lend to my niece Louisa S. Harrell all my land
during her life and at her death to her children them
and their heirs forever I also give to my niece Louisa S.
Harrell one bed and furniture and one chest, I also give
to my niece Louisa S. Harrell's daughter Viola S.
Harrell one bed and furniture and one trunk, and to the
said Louisa's other daughter Delah J. Harrell one Bed and
furniture and one trunk it is my desire that my
Negro man George be sold among death and the
proceeds be equally divided between Viola S. Harrell
Delah J. Harrell - I do hereby constitute and appoint
my friend William R. Brown Executor to this my
last will and Testament revoking all other wills